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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(General Rules and Regulations, Series 1)

GENERAL RULES AND REGULATIONS MADE BY THE SECRETARY
OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT
UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933.UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by Title I of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes" approved May 12, 1933, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following rules and regulations with the force and effect of law, to be in force and effect until amended or superseded by rules and regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 29th day of May, 1933.

*H A Wallace**Secretary of Agriculture.*

APPROVED :

*Franklin D. Roosevelt**The President of the United States.*

THE WHITE HOUSE, June 1, 1933.

ARTICLE I—DEFINITIONS

SECTION 100.* As used in these regulations:

(a) The terms "Act" or "Agricultural Adjustment Act" mean Title I of the Act of Congress entitled "An Act to relieve the exist-

* The Sections of these regulations are numbered according to the corresponding numbers of the Articles. Thus the first Section of the first Article is Section 100, the first Section of the second Article is Section 200, etc.

ing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes" approved May 12, 1933.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

ARTICLE II—HEARINGS ON MARKETING AGREEMENTS UNDER SECTION 8, SUBSECTION (2).

SEC. 200. Whenever the Secretary shall determine that any hearings in respect of any marketing agreement with processors, associations of producers or others engaged in the handling in the current of interstate or foreign commerce of any agricultural commodity or product thereof are required by the Act, due notice and opportunity for hearing to interested parties shall be given as provided in the following sections of this article.

SEC. 201. Notice will be given by the Secretary, in respect of any proposed hearing, of the subject matter, time and place of such hearing:

(a) by posting written notice thereof in a conspicuous place in the main building of the Department of Agriculture at Washington, D.C.; and

(b) by issuing press releases containing copies of said notice and by making available in the Office of the Secretary copies of such notice for the press; and

(c) by depositing in the registered mails copies of such notice addressed to such Governors of the several states of the United States, and to such executive heads of the territories and possessions of the United States as the Secretary, having due regard for the subject matter of such proposed hearing and the public interest shall determine should be notified.

SEC. 202. Such notice of hearing shall be given at least ten days prior to the date of hearing set forth in said notice; but if the Secretary shall declare that an emergency requires a shorter period of notice, then the period of notice and the manner of notifying the Governors of the several states and the executive heads of the territories and possessions shall be, respectively, that which the Secretary may determine to be reasonable in the circumstances.

SEC. 203. No such hearing shall be held except with respect to a proposed marketing agreement which shall have been reduced to writing and filed (together with a written application to the Secretary that he call such hearing, except in the case of an agreement proposed by the Secretary) in the Office of the Secretary by the persons proposing the same or by the Secretary, at or before the time when the notice of hearing is given. Such proposed marketing agreement shall be available for public inspection in the Office of the Secretary from the date when the notice with respect to such agreement shall be given, and copies of such agreement shall be available at the hearing held with respect to such agreement.

SEC. 204. Every such hearing shall be conducted by a Presiding Officer who shall be the Secretary or an officer or employee of the

Department of Agriculture duly appointed in writing by the Secretary, and any such appointment may be made or revoked by the Secretary at any time before or during any hearing. Such hearings shall be conducted in the manner to be determined by the Presiding Officer, and such Presiding Officer, by virtue of his appointment as such, shall, subject to the provisions of the Act and applicable regulations issued pursuant thereto, be deemed to be an officer designated by the Secretary within the purview of Section 300 of these regulations, and shall have all the powers granted to such an officer.

SEC. 205. Said hearing shall be held at the time and place set forth in the notice of hearing and may at such time and place be continued from day to day, or adjourned to a later day or to a different place without notice other than announcement thereof, at the hearing, by the Presiding Officer.

SEC. 206. At or before the opening of such hearing, all persons desiring to testify thereat, or to file written statements or written arguments in connection therewith, shall cause their names to be filed with a Hearing Clerk appointed by the Secretary, or by the Presiding Officer, and all persons not so causing their names to be filed shall not be entitled to be heard or to file written statements or written arguments unless the Presiding Officer, in his discretion, shall permit the later filing of names, in cases in which, in his judgment, the public interest so requires.

SEC. 207. At such hearing, the following shall be the order of the proceedings unless the Presiding Officer shall, in his discretion, determine a different order of procedure:

(a) The Presiding Officer shall cause the proposed agreement to be read without argument or comment.

(b) Persons in favor of the proposed marketing agreement will be heard on the question of whether there should be any marketing agreement. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the proposed marketing agreement.

(c) Persons who are in opposition to the Secretary becoming a party to any marketing agreement will then be heard. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the proposed marketing agreement.

(d) Persons in favor of the proposed marketing agreement will then be heard on the question of the advisability of the several provisions of the proposed marketing agreement.

(e) Persons who oppose any or all of the provisions of the marketing agreement or suggest additions, alterations or modifications in respect of the proposed marketing agreement will then be heard.

(f) Persons in favor of the proposed marketing agreement will then be permitted to discuss any such suggested additions, alterations or modifications.

SEC. 208. Testimony given at such hearings shall be reported verbatim. All written statements or written arguments shall be typewritten, mimeographed or printed, and filed in triplicate. As soon as practicable after the conclusions of each such hearings a copy of the transcript of testimony and of each such written statement or written argument shall be available for public inspection at the Office of the Secretary.

SEC. 209. (1) Said hearings shall be concluded within such time as the Presiding Officer shall determine, after which time no oral testimony will be taken, but written statements or written arguments, in the form prescribed by Section 208, may be filed with the Hearing Clerk within such time thereafter, and upon such terms, as the Presiding Officer may designate. A copy of such written statements and written arguments shall be available for public inspection at the Office of the Secretary upon the filing thereof.

(2) Any person desiring a copy of the transcript of the testimony or of any filed written statement or written argument shall be entitled to the same upon application to the Hearing Clerk and upon payment of the reasonable cost thereof.

SEC. 210. As soon as practicable after the conclusion of any hearing the Secretary shall render his decision which will thereupon be filed in the Office of the Secretary and shall be available for public inspection.

SEC. 211. Whenever, pursuant to a decision of the Secretary, any agreement becomes effective, it shall thereupon be filed in the Office of the Secretary and be available for public inspection.

SEC. 212. Any person shall be entitled to a copy of any decision of the Secretary under this Article or of any agreement entered into pursuant to any such decision upon application to the appropriate Hearing Clerk and upon payment of the reasonable cost thereof.

ARTICLE III—PROVISIONS RELATING TO EXAMINATION OF DOCUMENTARY EVIDENCE, ISSUANCE OF SUBPOENAS, AND TAKING OF DEPOSITIONS

SEC. 300. Pursuant to the provisions of Section 10, subsection (h) of the Act, making applicable to the jurisdiction, powers and duties of the Secretary the provisions of Sections 8, 9, and 10 of the Federal Trade Commission Act, approved September 26, 1914, and pursuant to other applicable provisions of law:

(a) The Secretary or his duly authorized officer or agent shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person or corporation holding a license, or of any party to any marketing agreement entered into by the Secretary, under the provisions of the Act.

(b) Subpoenas issued by the Secretary or by an officer or agent duly authorized by the Secretary requiring the attendance and testimony of witnesses and/or the production of such documentary evidence are to be signed by the Secretary or by such officer or agent. The Secretary or such officer or agent may also administer oaths or affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and such production of documentary evidence may be required from any place in the United States, its territories or possessions, at a designated place of hearing, before the Secretary or such officer or agent.

(c) The Secretary or an officer or agent duly authorized by the Secretary may require testimony to be taken by deposition in any proceeding under the Act at any stage of such proceeding. Such deposition may be taken before any person having the power to

administer oaths, designated by the Secretary or by his officer or agent. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and such testimony shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear or testify or produce documentary evidence before the Secretary or his duly authorized officer or agent, as hereinbefore provided.

Witnesses summoned before the Secretary or before an officer or agent duly authorized by the Secretary shall be paid the same fees and mileage as are by law provided in the case of witnesses summoned before the courts of the United States, and witnesses whose depositions are taken, and the persons taking the same, shall severally be entitled to the same fees as are by law provided for like services in the courts of the United States.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(General Regulations, Series 1, Revision 1)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations (constituting a revision of and superseding General Regulations, Series 1) with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 18th day of July 1933.

*Henry A. Wallace**Secretary of Agriculture.*

Approved.

*Franklin D. Roosevelt**The President of the United States.*

THE WHITE HOUSE, July 26, 1933.

ARTICLE I

DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

¹ The Sections of these regulations are numbered decimally according to the corresponding numbers of the Articles. Thus the first Section of the first Article is Section 100, the first Section of the second Article is Section 200, etc.

ARTICLE II

HEARINGS WITH REFERENCE TO MARKETING AGREEMENTS, UNDER SECTION 8,
SUBSECTION (2) OF THE ACT

SEC. 200. Whenever the Secretary shall determine that with respect to any marketing agreement with processors, associations of producers, or others engaged in the handling in the current of interstate or foreign commerce of any agricultural commodity or product thereof hearings should be held pursuant to Section 8, subsection (2) of the Act, due notice and opportunity for hearing to interested parties shall be given as provided hereinafter in this Article.

SEC. 201. Notice will be given, in respect of any such proposed hearing, of the subject matter, time and place of such hearing:

(a) By posting a copy of a written notice thereof on the official bulletin board or boards in the main building of the Department of Agriculture at Washington, D.C.; and

(b) By issuing press releases containing copies of said notice and by making available in the main building of the Department of Agriculture copies of such notice for the press; and

(c) By forwarding copies of such notice addressed to such Governors of the several States of the United States, and to such executive heads of the territories and possessions of the United States as the Secretary or his duly authorized agent, having due regard for the subject matter of such proposed hearing and the public interest, shall determine should be notified.

SEC. 202. Such notice of hearing shall be given at least ten days prior to the date of hearing set forth in said notice, unless the Secretary shall determine that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary may determine to be reasonable in the circumstances.

SEC. 203. Except in the case of a marketing agreement proposed by the Secretary, no such hearing will be held unless the proposed marketing agreement shall have been reduced to writing and filed in the office of the Secretary together with a written application to the Secretary by the persons proposing such agreement that the Secretary call such a hearing. Such application shall be in a form prescribed by the Secretary, which form may be obtained upon request at the office of the Chief Hearing Clerk. Such Chief Hearing Clerk shall have an established office in the Department of Agriculture, Washington, D.C., and shall be designated by the Secretary. The application must be so filed at or before the time when the notice of hearing is given. Copies of the proposed marketing agreement shall be available to the public in the office of the Chief Hearing Clerk from the date when the notice with respect to such hearing shall be given, and copies of such agreement shall be available at the hearing held with respect to such agreement.

SEC. 204. Every such hearing shall be conducted by a Presiding Officer, who shall be the Secretary or such officer or employee of the Department of Agriculture as the Secretary may designate in writing, and any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearings shall be conducted in the manner to be determined by the Presiding Officer, and such Presiding Officer, by virtue of his appointment as such,

shall, subject to the provisions of the Act and applicable regulations issued pursuant thereto, be deemed to be an officer designated by the Secretary within the purview of Section 400 of these regulations, and shall have all the powers granted to such an officer.

SEC. 205. Said hearing shall be held at the time and place set forth in the notice of hearing and may at such time and place be continued from day to day, or adjourned to a later day or to a different place without notice other than announcement thereof at the hearing, by the Presiding Officer.

SEC. 206. All persons desiring to testify at any such hearing or to file written statements or written arguments in connection therewith, shall before the opening of such hearing cause their names to be filed with the Chief Hearing Clerk, or shall cause their names to be filed at such hearing at the opening thereof with said Chief Hearing Clerk, or with an Assistant Hearing Clerk present at such hearing who shall be designated by the Presiding Officer. Any person who has not caused his name to be filed shall not be entitled to be heard or to file written statements or written arguments, unless the Presiding Officer, in his discretion, shall permit the later filing of names in cases in which in his judgment the public interest so requires.

SEC. 207. At such hearing the following shall be the order, or method of the proceedings unless the Presiding Officer shall, in his discretion, determine a different order or method of procedure:

(a) The Presiding Officer shall cause the proposed agreement to be read without argument or comment.

(b) Persons in favor of the proposed marketing agreement will be heard on the question of whether there should be any marketing agreement, and those proposing the marketing agreement shall show that the proposed marketing agreement tends to effectuate the declared policy of the Act.

(c) Persons who are in opposition to the Secretary becoming a party to any marketing agreement will then be heard. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the proposed marketing agreement.

(d) Persons in favor of the proposed marketing agreement will then be heard on the question of the advisability of the several provisions of the proposed marketing agreement.

(e) Persons who oppose any or all of the provisions of the marketing agreement or who desire to suggest additions, alterations, or modifications in respect of the proposed marketing agreement, will then be heard, and any such suggested additions, alterations, or modifications must be submitted in writing at such time.

(f) Persons in favor of the proposed marketing agreement will then be permitted to discuss any such suggested additions, alterations, or modifications.

SEC. 208. Testimony given at such hearings shall be reported verbatim. All written statements or written arguments shall be typewritten, mimeographed, or printed, and filed in triplicate. As soon as practicable after the conclusion of each such hearing a copy of the transcript of testimony and of each such written statement or written argument shall be available for public inspection at the office of the Chief Hearing Clerk.

SEC. 209. (1) Said hearings shall be concluded within such time as the Presiding Officer shall determine, after which time no oral testimony will be taken, but written statements or written arguments, in the form prescribed by Section 208, may be filed with the Chief Hearing Clerk within such time thereafter, and upon such terms, as the Presiding Officer may designate. A copy of such written statements and written arguments shall be available for public inspection at the office of the Chief Hearing Clerk upon the filing thereof.

(2) Any person desiring a copy of the transcript of the testimony or of any filed written statement or written argument shall be entitled to the same upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

SEC. 210. As soon as practicable after the conclusion of any hearing, the Secretary shall render his decision, which will thereupon be filed in the office of the Chief Hearing Clerk and shall be available for public inspection.

SEC. 211. Whenever, pursuant to a decision of the Secretary, any agreement becomes effective, it shall thereupon be filed in the office of the Chief Hearing Clerk and be available for public inspection.

SEC. 212. Any person shall be entitled to a copy of any decision of the Secretary under this Article or of any agreement entered into pursuant to any such decision upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

ARTICLE III

HEARINGS WITH REFERENCE TO PROCESSING TAXES UNDER SECTIONS 9 (b), 15 (a), 15 (d) AND TO THE EXCLUSION OF COMMODITIES UNDER SECTION 11 OF THE ACT

SEC. 300. Whenever the Secretary shall determine with respect to any processing tax that any hearings should be held, pursuant to Sections 9 (b), 11, 15 (a), or 15 (d) of the Act, due notice and opportunity for hearing to interested parties shall be given as provided hereinafter in this Article.

SEC. 301. Notice will be given, in respect of any such proposed hearing, of the subject matter, time and place of such hearing;

(a) By posting a copy of a written notice thereof on the official bulletin board or boards in the main building of the Department of Agriculture at Washington, D.C.; and

(b) By issuing press releases containing copies of said notice and by making available in the main building in the Department of Agriculture copies of such notice for the press; and

(c) By forwarding copies of such notice addressed to such Governors of the several states of the United States, and to such executive heads of the territories and possessions of the United States as the Secretary or his duly authorized agent having due regard for the subject matter of such proposed hearing and the public interest shall determine should be notified.

SEC. 302. Such notice of hearing shall be given at least ten days prior to the date of hearing set forth in said notice; unless the Secretary shall determine that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary may determine to be reasonable in the circumstances.

SEC. 303. Every such hearing shall be conducted by a Presiding Officer who shall be the Secretary or such officer or employee of the Department of Agriculture as the Secretary may designate in writing, and any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such Presiding Officer, by virtue of his appointment as such, shall, subject to the provisions of the Act and applicable regulations issued pursuant thereto, be deemed to be an officer designated by the Secretary within the purview of Section 400 of these regulations, and shall have all the powers granted to such an officer.

SEC. 304. Said hearing shall be held at the time and place set forth in the notice of hearing and may at such time and place be continued from day to day, or adjourned to a later day or to a different place without notice other than announcement thereof, at the hearing, by the Presiding Officer.

SEC. 305. All persons desiring to testify at any such hearing or to file written statements or written arguments in connection therewith, shall before the opening of such hearing cause their names to be filed with the Chief Hearing Clerk (who shall have an established office in the Department of Agriculture, Washington, D.C., and shall be designated by the Secretary) or shall cause their names to be filed at such hearing at the opening thereof with said Chief Hearing Clerk, or with an Assistant Hearing Clerk present at such hearing who shall be designated by the Presiding Officer. Any person who has not caused his name to be filed shall not be entitled to be heard or to file written statements or written arguments unless the Presiding Officer, in his discretion, shall permit the later filing of names in cases in which in his judgment the public interest so requires.

SEC. 306. At such hearing the Presiding Officer shall cause to be read the section or sections of the Act pursuant to which the hearing is held. Every such hearing shall be conducted in the manner determined by the Presiding Officer.

SEC. 307. Testimony given at such hearings shall be reported verbatim. All written statements or written arguments shall be typewritten, mimeographed, or printed, and filed in triplicate. As soon as practicable after the conclusion of each such hearing a copy of the transcript of testimony and of each such written statement or written argument shall be available for public inspection at the office of the Chief Hearing Clerk.

SEC. 308. (1) Said hearings shall be concluded within such time as the Presiding Officer shall determine, after which time no oral testimony will be taken, but written statements or written arguments, in the form prescribed by Section 307, may be filed with the Chief Hearing Clerk within such time thereafter, and upon such terms, as the Presiding Officer may designate. A copy of such written statements and written arguments shall be available for public inspection at the office of the Chief Hearing Clerk upon the filing thereof.

(2) Any person desiring a copy of the transcript of the testimony or of any filed written statement or written argument shall be entitled to the same upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

ARTICLE IV

PROVISIONS RELATING TO EXAMINATION OF DOCUMENTARY EVIDENCE, ISSUANCE OF SUBPOENAS, AND TAKING OF DEPOSITIONS

SEC. 400. Pursuant to the provisions of Section 10, subsection (h) of the Act, making applicable to the jurisdiction, powers, and duties of the Secretary the provisions of Sections 8, 9, and 10 of the Federal Trade Commission Act, approved September 26, 1914, and pursuant to other applicable provisions of law:

(a) The Secretary or his duly authorized officer or agent shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person, whether or not a corporation, subject to the provisions of the Act.

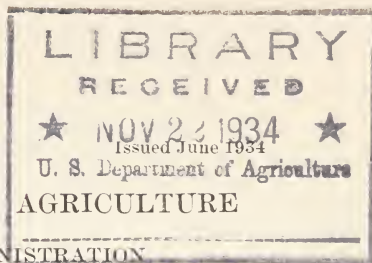
(b) Subpoenas issued by the Secretary or by an officer or agent duly authorized by the Secretary requiring the attendance and testimony of witnesses and/or the production of such documentary evidence are to be signed by the Secretary or by such officer or agent. The Secretary or such officer or agent may also administer oaths or affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and such production of documentary evidence may be required from any place in the United States, its territories or possessions, at a designated place of hearing, before the Secretary or such officer or agent.

(c) The Secretary or an officer or agent duly authorized by the Secretary may require testimony to be taken by deposition in any proceeding under the Act at any stage of such proceeding. Such deposition may be taken before any person having the power to administer oaths, designated by the Secretary or by his officer or agent. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and such testimony shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear or testify or produce documentary evidence before the Secretary or his duly authorized officer or agent, as hereinbefore provided.

Witnesses summoned before the Secretary or before an officer or agent duly authorized by the Secretary shall be paid the same fees and mileage as are by law provided in the case of witnesses summoned before the courts of the United States, and witnesses whose depositions are taken, and the persons taking the same, shall severally be entitled to the same fees as are by law provided for like services in the courts of the United States.

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Article of Amendment No. 1



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(Article II, Sec. 201, Subdivision (b), as Amended, of General Regulations Series 1, Revision 1)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, R. G. TUGWELL, Acting Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations Series 1, Revisions 1, striking out subdivision (b) in Section 201 of Article II and inserting in lieu thereof the following subdivision (b) in Section 201, which amendment is to be in full force and effect until amended and superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 5th day of June 1934.



R. G. Tugwell

Acting Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

JUNE 5, 1934.

ARTICLE II.—HEARINGS WITH REFERENCE TO MARKETING AGREEMENTS, UNDER SECTION 8 SUBSECTION (2) OF THE ACT

SEC. 201. Notice will be given, in respect of any such proposed hearing, of the subject matter, time, and place of such hearing:

(b) By issuing press releases which shall indicate the industry and/or area covered by the proposed marketing agreement and the date and place of hearing, and which shall give information as to where copies of the proposed marketing agreement may be obtained.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(ART. II, SEC. 213 OF GENERAL REGULATIONS, SERIES 1, REVISION 1)

RELATING TO AMENDMENTS TO MARKETING
AGREEMENTS

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations, Series 1, Revision 1, adding thereto section 213, to be in force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof, I have hereto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 30th day of July, 1934.

H. A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE,

August 6, 1934.

SEC. 213. The Secretary may, in accordance with the provisions of any Marketing Agreement, execute and approve an amendment thereto: *Provided*, That after the effective date hereof, unless the Secretary shall find that the subject matter of such amendment was included within the scope of a hearing theretofore held upon such Marketing Agreement pursuant to the General Regulations of the Agricultural Adjustment Administration, due notice and opportunity for hearing to interested parties shall be given in accordance with the provisions of General Regulations, Series 1, Revision 1, as now and hereafter amended.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

(General Regulations, Series 2)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER EXECUTIVE ORDER OF JUNE 26, 1933, ISSUED PURSUANT TO TITLE I OF THE NATIONAL INDUSTRIAL RECOVERY ACT, APPROVED JUNE 16, 1933

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Executive order dated June 26, 1933, issued pursuant to Title I of the National Industrial Recovery Act, approved June 16, 1933, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations to be in force and effect until amended or superseded by regulations hereinafter made by the Secretary of Agriculture (with the approval of the President) under said Executive order or until said Executive order has been revoked.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 29th day of July 1933.

Henry A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE, *July 31, 1933.*

ARTICLE I

DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "Act" means Title I of the National Industrial Recovery Act, approved June 16, 1933.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

ARTICLE II

HEARINGS ON CODES OF FAIR COMPETITION UNDER SECTION 3 (a) OF THE ACT

SEC. 200. Whenever, following the application by one or more trade or industrial associations or groups, eligible to receive the benefit of the provisions of the act, for approval by the Secretary of a code of fair competition for a trade or industry or subdivision thereof engaged principally in the handling of milk and/or its products, tobacco and/or its products, foods, or foodstuffs and represented by the applicant or applicants, the Secretary shall determine that any hearings in respect of such code of fair competition shall be held, the right to be heard by all interested parties, including persons whose services or welfare are affected by such code shall be provided as hereinafter set forth in this article.

SEC. 201. Notice will be given, in respect of any such proposed hearing, of the subject matter, time, and place of such hearing—

(a) By posting a copy of a written notice thereof on the official bulletin board or boards in the main building of the Department of Agriculture at Washington, D.C.; and

(b) By issuing press releases containing copies of said notice and by making available in the main building of the Department of Agriculture copies of such notice for the press; and

(c) By forwarding copies of such notice addressed to such Governors of the several States of the United States, and to such executive heads of the Territories and possessions of the United States as the Secretary or his duly authorized agent, having due regard for the subject matter of such proposed hearing and the public interest, shall determine should be notified.

SEC. 202. Such notice of hearing shall be given at least 10 days prior to the date of hearing set forth in said notice, unless the Secretary shall determine that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary may determine to be reasonable under the circumstances.

SEC. 203. No such hearing will be held unless the proposed code shall have been reduced to writing and filed in the office of the Secretary, together with a written application to the Secretary by the persons proposing such code that the Secretary call such a hearing. Such application shall be in a form prescribed by the Secretary, which form may be obtained upon request at the office of the Chief Hearing Clerk. Such Chief Hearing Clerk shall have an established

¹ The sections of these regulations are numbered decimally according to the corresponding numbers of the articles. Thus the first section of the first article is Section 100, the first section of the second article is Section 200, etc.

office in the Department of Agriculture, Washington, D.C., and shall be designated by the Secretary. Such application must be so filed at or before the time when the notice of hearing is given. Copies of such proposed code shall be available to the public in the office of the Chief Hearing Clerk from the date when the notice with respect to such hearing shall be given, and copies of such code shall be available at the hearing held with respect to such code.

SEC. 204. Every such hearing shall be conducted by a Presiding Officer, who shall be designated in writing by the Secretary, and any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearings shall be conducted in the manner to be determined by the Presiding Officer.

SEC. 205. Said hearing shall be held at the time and place set forth in the Notice of Hearing, and may at such time and place be continued from day to day or adjourned to a later day or to a different place without notice other than announcement thereof at the hearing by the Presiding Officer.

SEC. 206. All persons desiring to testify at any such hearing or to file written statements or written arguments in connection therewith shall, before the opening of such hearing, cause their names to be filed with the Chief Hearing Clerk, or shall cause their names to be filed and a designation of the persons or groups whom they represent at such hearing at the opening thereof with said Chief Hearing Clerk, or with an Assistant Hearing Clerk present at such hearing, who shall be designated by the Presiding Officer. Any person who has not caused his name to be filed shall not be entitled to be heard or to file written statements or written arguments unless the Presiding Officer in his discretion shall permit the later filing of names in cases in which, in his judgment, the public interest so requires.

SEC. 207. At such hearing the following shall be the order or method of the proceedings unless the Presiding Officer shall, in his discretion, determine a different order or method of procedure:

(a) The Presiding Officer shall cause the proposed code to be read without argument or comment.

(b) The sponsors of such proposed code shall then show that (1) such sponsors impose no inequitable restrictions on admission to membership and are truly representative of the trade or industry or subdivision thereof for which the code is proposed and (2) that the proposed code is not designed to promote monopolies or to eliminate or suppress small enterprises and will not operate to discriminate against them and will tend to effectuate the policy of the act, and (3) that the proposed code will not permit monopolies or monopolistic practices.

(c) Persons in favor of the proposed code will then be heard on the question of the advisability of the several provisions of the proposed code.

(d) Persons who oppose any or all of the provisions of the code or who desire to suggest additions, alterations, or modifications in respect of the proposed code will then be heard, and any such suggested additions, alterations, or modifications must be submitted in writing at such time.

(e) Persons in favor of the proposed code will then be permitted to discuss any such suggested additions, alterations, or modifications.

SEC. 208. Testimony given at such hearings shall be reported verbatim. All written statements or written arguments shall be typewritten, mimeographed, or printed, and filed in triplicate. As soon as practicable after the conclusions of each such hearing a copy of the transcript of testimony and of each such written statement or written argument shall be available for public inspection at the office of the Chief Hearing Clerk.

SEC. 209. (1) Said hearings shall be concluded within such time as the Presiding Officer shall determine, after which time no oral testimony will be taken, but written statements or written arguments, in the form prescribed by section 208, may be filed with the Chief Hearing Clerk within such time thereafter and upon such terms as the Presiding Officer may designate. A copy of such written statements and written arguments shall be available for public inspection at the office of the Chief Hearing Clerk upon the filing thereof.

(2) Any person desiring a copy of the transcript of the testimony or of any filed written statement or written argument shall be entitled to the same upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

SEC. 210. Whenever, following any such hearing, the Secretary and the President shall approve, in writing, any code, a copy of such code shall thereupon be filed in the office of the Chief Hearing Clerk and be available for public inspection, and any person shall be entitled to a copy thereof upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(Article II, Sec. 201, Subdivision (b), as Amended, of General Regulations Series 2)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, R. G. TUGWELL, Acting Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations Series 2, striking out subdivision (b) in Section 201 of Article II and inserting in lieu thereof the following subdivision (b) in Section 201, which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 5th day of June 1934.



R. G. Tugwell

Acting Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

JUNE 5, 1934.

ARTICLE II—HEARINGS ON CODES OF FAIR COMPETITION UNDER SECTION 3 (a) OF THE ACT

SEC. 201. Notice will be given, in respect of any such proposed hearing, of the subject matter, time, and place of such hearing:

(b) By issuing press releases which shall indicate the trade, industry, or subdivision thereof covered by such proposed Code, the date and place of hearing, and which shall give information as to where copies of the proposed Code may be obtained.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(General Regulations, Series 3)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE, WITH THE APPROVAL OF THE PRESIDENT, UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 25th day of August, 1933.

*Henry A. Wallace**Secretary of Agriculture.*

Approved:

*Franklin D. Roosevelt**The President of the United States.*

August 26, 1933.

ARTICLE I

DEFINITIONS

SECTION 100.¹ As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "Department" means the United States Department of Agriculture.

¹ The sections of these regulations are numbered decimally according to the corresponding numbers of the articles. Thus the first section of the first article is sec. 100, the first section of the second article is sec. 200, etc.

(d) The term "person" means an individual, corporation, partnership, unincorporated association, or any other business unit.

(e) The term "license" means any license which has been issued by the Secretary pursuant to section 8 (3) of the act.

(f) The term "licensee" means any person licensed by the Secretary pursuant to section 8 (3) of the act.

ARTICLE II

PROVISIONS RELATING TO THE REVOCATION OR SUSPENSION OF LICENSES AND THE PROCEDURE IN CONNECTION THEREWITH

SECTION 200. Whenever the Secretary, or such officer or employee of the Department as he may designate for the purpose, has reason to believe that any licensee, or any officer, employee, or agent of any licensee, or any other person with the consent or connivance of such licensee, has violated or is violating the terms or conditions of a license, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may, by notice served personally upon such licensee, or any agent of such licensee in active charge of the business licensed, or by depositing in the United States mails a notice in writing, registered and addressed to such licensee at the last known business address of such licensee, order such licensee to show cause in writing on or before a certain date to be named in said notice, why the Secretary should not revoke or suspend such license.

SEC. 201. Said notice shall contain:

(a) A statement of the alleged violations of the terms or conditions of the license.

(b) A statement of the time (which shall not be less than 10 days after service or mailing of such notice, as required by sec. 200) within which the licensee must comply with said order by filing, at such place and with such person as shall be designated in the notice, a written answer in triplicate to the charges alleged in said notice.

SEC. 202. A copy of the aforesaid notice shall be filed in the office of the chief hearing clerk in the Department of Agriculture, Washington, D.C. and shall be available for public inspection in such office.

SEC. 203. (a) Within the time required by the notice, the licensee shall file, at such place and with such person as shall be designated in the notice, a written answer in triplicate to the charges contained in such notice.

(b) Said answer shall be divided into paragraphs and shall contain categorical admissions or denials of the several charges and facts alleged in said notice, and all denials therein contained shall be amplified by full and frank statements of the facts concerning said alleged violations, and the matters of defense relied upon.

(c) Said answer shall contain a statement of the correct name and address of the licensee to whom the order has been mailed or sent. If said licensee is incorporated, such fact shall be stated together with the name of the State of incorporation and the names and addresses of its officers and directors. If such licensee is a member of an unincorporated association, partnership, or other business unit licensed, said answer shall disclose the correct names and addresses of all the members constituting said business unit.

(d) If the licensee is not a natural person, said answer shall contain the name and address of an individual, as agent of said licensee to

whom notice of further proceedings may be mailed or sent and for no other purpose. Such answer shall be supported by an affidavit to the truth of the matters stated therein made by the licensee or a duly authorized agent of the licensee who has knowledge of the facts.

SEC. 204. Upon proper cause shown, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may extend the time within which such answer shall be filed, provided application for such extension be made within the time to show cause set forth in said notice.

SEC. 205. The parties to every such proceeding shall be the Secretary, who shall enter an appearance and be represented by counsel, and the licensee, who may appear in proper person or by counsel. Any other person desiring to intervene in such proceeding shall make an application to the Secretary to be made a party thereto, setting forth the grounds on which such person claims to be interested, and the Secretary, or such officer or employee of the Department as he may designate for the purpose, may, by order, permit the intervention of such person, in proper person or by counsel, to such extent and upon such terms as may be deemed just.

SEC. 206. If the Secretary finds the answer of such licensee to be sufficient, such licensee shall be duly notified of the dismissal of the proceedings initiated by said notice, and an order of dismissal shall be filed in the office of the chief hearing clerk.

SEC. 207. If the proceedings be not dismissed by the Secretary, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may appoint a time (which shall not be earlier than 5 days after the date on which the answer is required to be filed) and designate a place for a hearing to be held in the State where the licensee's principal place of business is located, or in Washington, D.C., or at any other place mutually agreeable to the Secretary and the licensee. The Secretary or such officer or employee of the Department as he may designate for the purpose shall at least 5 days prior to the hearing give or mail to the licensee, in the manner provided in section 200, or to the agent of the licensee designated in the answer of the licensee as the person to whom such notice may be mailed or sent, a written notice, which notice shall specify the time, place, and purpose of said hearing.

SEC. 208. Every such hearing shall be conducted by a presiding officer, who shall be the secretary, or such officer or employee of the Department as the Secretary may designate for the purpose. Any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearing shall be conducted in the manner to be determined by the presiding officer as will best conduce to the proper dispatch of business and the attainment of justice.

SEC. 209. Said hearing shall be held at the time and place set forth in the notice of hearing or in any subsequent notice amending or superseding a prior notice, and may also, at the time and place of the hearing, in the exercise of the discretion of the presiding officer, be continued from day to day, or adjourned to a later date, or to a different place without notice, other than announcement thereof, at the hearing, by the presiding officer.

SEC. 210. Every such hearing shall be publicly conducted. Testimony given at such hearings shall be reported verbatim. As soon as

practicable after the conclusion of every such hearing a copy of the transcript of testimony shall be available for public inspection in the office of the chief hearing clerk and at the place where the hearing is concluded or at such other place as the presiding officer may designate.

SEC. 211. At any such hearing the presiding officer need not apply the technical rules of evidence.

SEC. 212. (a) Full opportunity to be heard upon application therefor shall be afforded to all licensees who may be directly affected by any order resulting from said hearing; but, subject thereto, said hearing shall be concluded within such time as the presiding officer shall determine, after which time written briefs may be filed with the chief hearing clerk (or, if the presiding officer so determines, with the presiding officer) within such time thereafter, and upon such terms, as the presiding officer may designate. Such written briefs must be typewritten, mimeographed, or printed, and must be filed in triplicate. A copy of such written briefs shall be available for public inspection at the office of the chief hearing clerk and at such other place as the presiding officer may designate upon the filing thereof.

(b) Any person desiring a copy of the transcript of the testimony or of any written brief, filed pursuant to subsection (a) of this section, shall be entitled to the same upon application to the chief hearing clerk and upon payment of the reasonable cost thereof.

SEC. 213. At the conclusion of the taking of the evidence and as a part of the hearing, opportunity shall be afforded by the presiding officer to all parties to the hearing to present oral arguments in favor of their respective contentions, based on the evidence. In his discretion, having regard to the nature and quantity of the evidence and to the importance of the issues, the presiding officer may limit the time to be consumed by such oral arguments and restrict the number of such arguments to one on behalf of each party to the hearing respectively.

SEC. 214. All orders, notices, findings, and formal documents requiring the signature of the Secretary under the provisions of these regulations may be signed in his name by such officer or employee of the Department as the Secretary may designate for the purpose and any such designation may be made or revoked by the Secretary at any time before or during any proceeding: *Provided*, That the order suspending or revoking a license shall be signed by the Secretary.

SEC. 215. Upon due application and within the discretion of the presiding officer, the right of amendment of the charges, and answers thereto, and of all other proceedings before and during any such hearing shall be granted on such reasonable terms as to the presiding officer, in the exercise of his discretion, may seem right and proper.

SEC. 216. Upon due application to the presiding officer prior to the rendering of a decision by the Secretary, the hearing may, in the discretion of the presiding officer, be reopened by him for the taking of additional testimony or the presentation of additional evidence.

SEC. 217. As soon as practicable after the conclusion of any hearing, whether the hearing was attended by the licensee or not, the presiding officer shall make proposed findings of fact and shall report the same to the Secretary together with his recommendations and the record of the proceedings. The Secretary shall thereafter render his decision and shall enter an order dismissing such charges, or may, if he finds that the licensee has violated any term or condition of the license,

enter an order suspending or revoking the license with respect to such licensee. The order shall become effective on a date to be specified therein. The order shall be accompanied by findings of fact of the Secretary, and the order and such findings of fact shall be filed in the office of the chief hearing clerk and shall there be available for public inspection.

SEC. 218. After a license has been suspended or revoked by the Secretary with respect to any person, such person may make application in writing to the Secretary for reinstatement under the license. If it appears to the Secretary that the violation of the license was not willful or in bad faith, the Secretary shall reinstate such applicant as a licensee under the license, upon a showing satisfactory to the Secretary that the applicant is able and willing in good faith to comply with the terms and conditions of the license. If it appears to the Secretary that the violation was willful or in bad faith, the Secretary shall reinstate the applicant as a licensee under the license upon a showing satisfactory to the Secretary that the applicant is able and willing in good faith to comply with the terms and conditions of the license and upon the furnishing of a bond, in such form and in such penalty as the Secretary may determine, conditioned upon the applicant's future compliance with the terms and conditions of the license. Nothing in this regulation shall be construed to exempt any person from fines or penalties incurred by reason of being engaged in handling without the license required by the Secretary any agricultural commodity or product thereof, or any competing commodity or product thereof in the current of interstate or foreign commerce.

ARTICLE III

MODIFICATION OF LICENSES

SECTION 300. If any person licensed under the act considers himself aggrieved by any term or condition of such license, or by the operation or effect thereof upon his business, such person may file with the Secretary a written application for modification thereof, setting forth the grounds therefor, and thereafter, the Secretary shall, when it appears to the Secretary from the face of the complaint that it is not without merit, give due notice to all interested parties and set the complaint down for a hearing before the Secretary, or such officer or employee of the Department as he may designate for the purpose, and the Secretary shall take such lawful action thereon as he deems necessary to carry out the provisions of the act. The Secretary, with or without complaint, may institute appropriate proceedings to consider the question of modification of any license, or consider the same in any proceeding for revocation or suspension thereof.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(Art. III, sec. 300, as amended, of General Regulations, Series 3)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations, Series 3, striking out article III, "MODIFICATION OF LICENSES", section 300, and inserting in lieu thereof the following article III, "MODIFICATION OF LICENSES", section 300, to be in force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 29th day of August 1933.

Henry A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

AUGUST 30, 1933.

ARTICLE III—MODIFICATION OF LICENSES

SEC. 300. If any person licensed under the Act, or any person affected by such license, considers himself aggrieved by any term or condition of such license, or by the operation or effect thereof upon his business, such person may file with the Secretary a written application for modification thereof, setting forth the grounds therefor, and thereafter, the Secretary shall, when it appears to the Secretary from the face of the complaint that it is not without merit, give due notice to all interested parties and set the complaint down for a hearing before the Secretary, or such officer or employee of the Department as he may designate for the purpose, and the Secretary shall take such lawful action thereon as he deems necessary to carry out the provisions of the Act. The Secretary, with or without complaint, may institute appropriate proceedings to consider the question of modification of any license, or consider the same in any proceeding for revocation or suspension thereof.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

(Article II, Sec. 219, of General Regulations, Series 3, as amended)

RELATING TO THE SURVIVAL OF REVOCATION OR SUS-
PENSION PROCEEDINGS AFTER THE TERMINATION
OF LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRI-
CULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE
AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY:

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, M. L. WILSON, Acting Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations, Series 3, by adding thereto the following section 219, which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 29th day of October, 1934.



M. L. Wilson

Acting Secretary of Agriculture.

Approved:

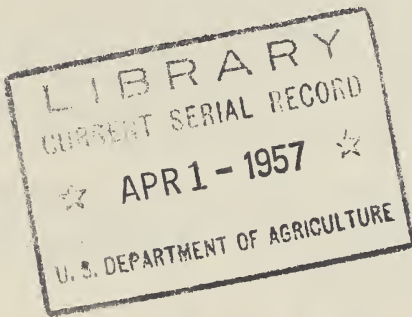
Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE, Oct. 29, 1934.

Sec. 219. Unless otherwise provided by written order of the Secretary, no proceedings for the suspension or revocation of any license, instituted pursuant to this article, shall be abated by the termination of such license, and all such proceedings, notwithstanding such termination, shall continue in the manner provided in the other sections of these General Regulations, Series 3, except as modified by this section 219, and the presiding officer shall make proposed findings of fact

and shall report the same to the Secretary, together with his recommendations and the record of the proceedings. The Secretary shall thereafter render his decision and shall enter an order dismissing the charges, or may, if he finds that the person against whom such proceedings are instituted has violated any term or provision of such license, enter an order setting forth such finding. Any such order of the Secretary shall be filed in the office of the Chief Hearing Clerk and shall there be available for public inspection.



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

(General Regulations, Series 4)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE
WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICUL-
TURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law (these regulations not to affect in any way Milk Regulations, Series 1), to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 16th day of August 1933.

Henry A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

AUGUST 16, 1933.

ARTICLE I. DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "person" means individual, partnership, corporation, association, or other business unit.

(c) The term "Secretary" means the Secretary of Agriculture of the United States.

(d) The term "license" means any license which has been issued by the Secretary pursuant to section 8 (3) of the act and under these regulations.

¹ The sections of these regulations are numbered decimally according to the corresponding numbers of the articles. Thus, the first section of the first article is sec. 100; the first section of the second article is sec. 200, etc.



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(e) The term "licensee" means any person permitted to engage in the handling, in the current of interstate or foreign commerce, of any agricultural commodity or product thereof, or any competing commodity or product thereof, by a license which has been issued by the Secretary pursuant to section 8 (3) of the act and under these regulations.

(f) The term "processor" means any person engaged in the handling of any agricultural commodity or product thereof, or any competing commodity or product thereof.

ARTICLE II. LICENSES

SEC. 200. *Determination of necessity for licenses.*—Prior to issuing a license pursuant to section 8 (3) of the act, the Secretary shall determine whether it is necessary to issue a license in order to eliminate unfair practices or charges that prevent or tend to prevent (1) the effectuation of the declared policy of the act with respect to any agricultural commodity or product thereof, or any competing commodity or product thereof, and (2) the restoration of normal economic conditions in the marketing of any agricultural commodity or product thereof, or any competing commodity or product thereof and the financing thereof.

SEC. 201. *Issuance of licenses.*—If the Secretary so determines that a license is necessary, he shall issue a license covering such class or classes of processors as he shall provide in the license. The license shall cover every person becoming a processor during the period that the license is in effect, irrespective of whether he was a processor at the time the license first became effective. The license shall authorize the processors covered by it to engage in their business, subject to the terms and conditions of the license. The license shall become effective on such date as the Secretary may determine.

SEC. 202. *Notice of licensing.*—Public notice of any license issued pursuant to these regulations shall be given at least three (3) days prior to the effective date thereof, by posting a copy of the license in a conspicuous place in the main building of the Department of Agriculture, in Washington, D.C., by issuing press releases containing copies of the license, and by making available in the office of the Secretary copies of such press releases. The license when issued shall be filed in the Department of Agriculture and shall be a public record.

The Secretary may determine, in connection with any such notice, that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary may determine to be reasonable in the circumstances.

SEC. 203. *Suspension, modification, and revocation.*—Any license issued hereunder may be suspended, revoked, or modified with respect to any processor for violation of the terms or conditions thereof by such processor or by any of his officers, employees, or agents. The procedure for suspension or revocation proceedings shall be in accordance with General Regulations, Agricultural Adjustment Administration, series 3.

ARTICLE III. CERTIFICATES

SEC. 300. Any processor licensed pursuant to these regulations may, upon application in accordance with a form prescribed by the Secretary

and upon payment of a fee of \$2, obtain a certificate evidencing the fact that the holder thereof is a licensee under these regulations; but the obtaining of such certificate shall not be necessary to constitute a processor a licensee. The certificate shall be non-transferrable, shall be in effect only so long as the license has not been suspended, revoked, or modified with respect to such licensee, and shall be surrendered for cancelation upon the suspension, revocation, or modification of the license with respect to such processor.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

(General Regulations, Series 4, Revision 1)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE
WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICUL-
TURE ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law (constituting a revision of and superseding General Regulations, Series 4, approved by the Secretary August 16, 1933; and constituting a revision of and superseding article III, section 300, as amended, of General Regulations, Series 3; and superseding Milk Regulations, Series 1, approved July 22, 1933, by the Secretary), to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 3d day of January 1934.

Henry A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

President of the United States.

JANUARY 3, 1934.

ARTICLE I. DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "person" means an individual, corporation, partnership, unincorporated association, or any other business unit.

(c) The term "Secretary" means the Secretary of Agriculture of the United States.

(d) The term "license" means any license issued by the Secretary pursuant to section 8 (3) of the act.

(e) The term "licensee" means any person licensed by the Secretary pursuant to section 8 (3) of the act and under these regulations.

(f) The term "commodity" means any agricultural commodity, or product thereof, or any competing commodity or product thereof as defined by the act.

(g) The term "handling" means processing, distributing, storing, and/or dealing in any manner in the current of interstate or foreign commerce with any commodity as "commodity" is defined herein.

ARTICLE II. REGULATIONS SUPERSEDED OR REVISED HEREBY

SEC. 200. These regulations constitute a revision of and supersede General Regulations, Series 4, approved by the Secretary, August 16, 1933, pertaining to licenses.

SEC. 201. These regulations also constitute a revision of and supersede article III, section 300, as amended, of General Regulations, Series 3.

SEC. 202. These regulations supersede Milk Regulations, Series 1, approved July 22, 1933, by the Secretary, relating to licenses and certificates.

ARTICLE III. LICENSES

Sec. 300. *Issuance of licenses.*—A license may be issued by the Secretary pursuant to section 8 (3) of the act to a person or a class or classes of persons engaged in handling any commodity. A class may embrace one or more persons. Where a license is issued to a class or classes, the description and definition of such class or classes shall be specifically stated in such license. The definition and description of such class or classes shall rest in the sole discretion of the Secretary, but shall be based upon the nature of business, kind of commodity, method of handling, area of operation and number of persons engaged in handling and any other factors deemed relevant by the Secretary to effectuate the declared policy of the act. Where the license is to a class or classes it shall cover every person embraced within the class described in such license at the time the license first becomes effective and every person who may thereafter during the effective period of the license become engaged in such a business as to bring him within the class described in such license. The license shall authorize and permit the persons covered by it to engage in handling the commodity or commodities, described in the license, subject to the terms and conditions of the license.

¹ Sections of these regulations are numbered decimally according to the corresponding numbers of the articles. Thus, the first section of the first article is sec. 100; the first section of the second article is sec. 200, etc.

SEC. 301. *Effective date of license.*—The license shall become effective on such date as the Secretary may determine.

SEC. 302. *Notice of issuance of license.*—(a) Public notice of the issuance of any license issued pursuant to these regulations shall be given at least three (3) days prior to the effective date thereof, (1) by posting a copy of the license in a conspicuous place in the main building of the Department of Agriculture, in Washington, D.C., (2) by issuing press releases relating to said license, which shall give the title of the license, date of its approval, and the date the same is to become effective, and information as to where copies of the license may be obtained, and (3) by making available in the office of the chief hearing clerk of the Secretary copies of such press releases.

(b) The license when issued shall be filed as a public record in the office of the chief hearing clerk. Any person shall be entitled to copies of the license upon application to the chief hearing clerk and upon payment of the reasonable cost thereof.

(c) The Secretary may determine, in connection with any such notice, that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary determines to be reasonable under the circumstances.

ARTICLE IV. AMENDING LICENSES

SEC. 400. *Licenses may be amended.*—The Secretary may, from time to time, amend any existing license.

SEC. 401. *Effective date of amendment to license.*—Any such amendment to any license shall become effective on such date as the Secretary may determine.

SEC. 402. *Notice of amendment to license.*—(a) The Secretary shall cause notice to be given of any amendment to any license in the same manner as is provided for giving notice of issuance of license in section 302 of these regulations.

(b) All amendments to any licenses shall be filed as public records in the office of the chief hearing clerk of the Secretary. Any person shall be entitled to copies of any amendment to a license upon application to such chief hearing clerk and upon payment of the reasonable cost thereof.

(c) The Secretary may determine, in connection with any such notice, that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary determines to be reasonable under the circumstances.

ARTICLE V. WHEN LICENSE REQUIRED TO ENGAGE IN THE HANDLING OF COMMODITY

SEC. 500. Whenever the Secretary has issued, or hereafter shall issue, a license then, while said license is in effect, no person shall, in the territory covered by and in said license, engage in the handling of any commodity or commodities, described in such license, unless such person has been licensed in and by said license, contemporaneously with the date of said license or later, to engage in such handling of the commodity or commodities described in such license, or unless and until such person has been licensed by the Secretary by a subsequent license to so engage in such handling.

SEC. 501. Whenever the license of any person engaged in the handling of any commodity or commodities, described in such license, has been, or hereafter shall be, revoked or suspended by the order of the Secretary, pursuant to said section 8 (3) of the act, such person shall not engage in the handling of the commodity or commodities described in such license after the effective date of the revocation or (as the case may be) during the period of such suspension stated in the order of the Secretary suspending such license.

ARTICLE VI. APPLICATION FOR MODIFICATION OF LICENSES

SEC. 600. If any person licensed under this act, or any person affected by such license, considers himself aggrieved by any term or condition of such license, or by the operation or effect thereof upon his business, such person may file with the Secretary a written application for modification thereof, setting forth the grounds therefor; and thereafter the Secretary shall, when it appears to the Secretary from the face of the complaint that it is not without merit, set the complaint down for a hearing.

SEC. 601. The hearing provided for by section 600 of these regulations shall be conducted by a presiding officer, who shall be the Secretary or such officer or employee of the Department as the Secretary may designate for the purpose. Any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearing shall be conducted in the manner to be determined by the presiding officer as will best conduce to the proper dispatch of business and the attainment of justice. The presiding officer will at such hearing generally follow, as closely as possible insofar as the same may be applicable, the procedure provided for hearings relating to the revocation or suspension of licenses as provided in General Regulations, Series 3, article II, sections 209, 210, 211, 212 (b), 213, and 216.

SEC. 602. All orders, notices, findings, and formal documents requiring the signature of the Secretary under the provisions of these regulations may be signed in his name by such officer or employee of the Department as the Secretary may designate for the purpose, and any such designation may be made or revoked by the Secretary at any time before or during any proceeding: *Provided*, The order modifying any license shall be signed by the Secretary.

SEC. 603. Upon due application to the presiding officer prior to the rendering of a decision by the Secretary, the hearing may, in the discretion of the presiding officer, be reopened by him for the taking of additional testimony or the presentation of additional evidence.

SEC. 604. As soon as practicable after the conclusion of such hearing, the presiding officer shall make proposed findings of fact and shall report the same to the Secretary together with his recommendations and the record of the proceedings. The Secretary shall thereafter render his decision and shall enter an order modifying the license, if he so decides, or denying the application to modify the license. The order may contain findings of fact of the Secretary, and such order shall be filed in the office of the chief hearing clerk and shall there be available for public inspection.

SEC. 605. A hearing upon such application by a licensee for modification of a license may, in the discretion of the Secretary, be

held in connection with, and as a part of, proceedings brought for the revocation or suspension of such license pursuant to General Regulations, Series 3; in which case the "Proposed Findings of Fact and Recommendations," provided for by section 217 of General Regulations, Series 3, shall include findings of facts and recommendations relative to such application for modification of such license; and the Secretary shall take such action upon such application to modify as will, in the judgment of the Secretary, tend to effectuate the declared object of the act.

ARTICLE VII. COURT PROCEEDINGS TO ENJOIN VIOLATIONS OF LICENSE—NOT AFFECTED BY ARTICLE VI HEREOF OR ARTICLE II OF GENERAL REGULATIONS, SERIES 3 (AS AMENDED)

SEC. 700. Nothing contained in any of the provisions of article VI of these regulations or article II of General Regulations, Series 3 (as amended) shall be construed in such a manner as to prevent, preclude or delay the Secretary or United States of America, or both, from instituting (either before or after (a) such application for the modification of a license has been made under article VI hereof or (b) revocation or suspension proceedings have been brought under article II of General Regulations, Series 3 (as amended)) appropriate court proceedings to enjoin violations of any license issued by the Secretary pursuant to section 8 (3) of the Agricultural Adjustment Act.

ARTICLE VIII. CERTIFICATES

SEC. 800. Any person licensed pursuant to these regulations may upon application in accordance with a form prescribed by the Secretary and upon payment of a fee of \$2 obtain a certificate evidencing the fact that the holder thereof is a licensee under these regulations; but the obtaining of such certificate shall not be necessary to constitute a person a licensee. The certificate shall be nontransferable, and shall be in effect only so long as the license has not been suspended, revoked, or modified with respect to such licensee, and shall be surrendered for cancelation upon the suspension, revocation, or modification of the license with respect to such holder.

ARTICLE IX. PUBLIC NOTICE OF FOREGOING REGULATIONS—HOW GIVEN

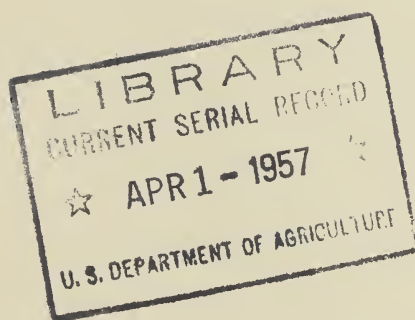
SEC. 900. Public notice of the foregoing regulations shall be given in the following manner:

(a) By posting a copy of these regulations on the official bulletin board or boards in the main building of the Department of Agriculture in Washington, D.C.; and

(b) By issuing press releases containing copies of said regulations and by making available in the office of the Secretary copies of these regulations for the press; and

(c) By forwarding by mail copies of such regulations to the Governors of the several States of the United States and to the executive heads of the Territories of the United States.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(Article III, Sec. 302, Subdivision (a) and Article IV, Sec. 402, Subdivision (a),
as Amended, of General Regulations Series 4, Revision 1)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE
WITH THE APPROVAL OF THE PRESIDENT UNDER THE
AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, R. G. TUGWELL, Acting Secretary of Agriculture, do make, prescribe, publish and give notice of the following amendments to General Regulations Series 4, Revision 1, striking out subdivision (a) in Section 302 of Article III, and inserting in lieu thereof the following subdivision (a) in Section 302, and striking out subdivision (a) in Section 402 of Article IV, and inserting in lieu thereof the following subdivision (a) in Section 402, which amendments are to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 5th day of June 1934.



R. G. Tugwell

Acting Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

JUNE 5, 1934.

ARTICLE III—LICENSES

SEC. 302. *Notice of Issuance of License.*—(a) Public notice of the issuance of any license issued pursuant to these regulations shall be given at least three (3) days prior to the effective date thereof, (1) by posting a copy of the license in a conspicuous place in the main building of the Department of Agriculture, Washington, D.C., (2) by issuing press releases relating to said license which shall describe the industry and/or area covered by the license and give the date of its approval by the Secretary, the date on which the license is to become effective, and information as to where copies of the license may be obtained.

ARTICLE IV—AMENDING LICENSES

SEC. 402. *Notice of Amendment to Licenses.*—(a) The Secretary shall cause notice to be given of any amendment to any license in the same manner as is provided for giving notice of issuance of license in Section 302 of these regulations, as amended.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(ARTICLE IV, SEC. 400, AS AMENDED, OF GENERAL REGULATIONS, SERIES 4,
REVISION 1)

RELATING TO HEARINGS WITH RESPECT TO AMENDMENTS TO LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, H. A. WALLACE, Secretary of Agriculture, do make, prescribe, publish and give notice of the following amendment to General Regulations, Series 4, Revision 1, striking out Section 400 of Article IV, and inserting in lieu thereof the following Section 400, which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 30th day of July, 1934.

H. A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE,
August 6, 1934.

ARTICLE IV—AMENDING LICENSES

SEC. 400. *Licenses may be Amended.*—The Secretary may, from time to time, amend any license; *Provided*, That after the effective date hereof, unless the Secretary shall find that the subject matter of such amendment was embraced within the scope of a hearing theretofore held pursuant to regulations of the Agricultural Adjustment Administration, due notice and opportunity for hearing to interested parties shall be given in accordance with the provisions of General Regulations, Series 9.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

ARTICLE IV, SEC. 400, AS AMENDED, OF GENERAL REGULATIONS, SERIES 4,
REVISION 1

RELATING TO HEARINGS WITH RESPECT TO AMENDMENTS TO LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, H. A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations, Series 4, Revision 1, as amended, by striking out Section 400 of Article IV, as amended, and inserting in lieu thereof the following Section 400, which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 14th day of August, 1934.



H. A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

President of the United States.

THE WHITE HOUSE,

August 15, 1934.

ARTICLE IV—AMENDING LICENSES

SECTION 400. *Licenses may be Amended.*—The Secretary may, from time to time, amend any license, *provided* that after the effective date hereof, unless the Secretary shall find that the subject matter of such

amendment was embraced within the scope of a hearing theretofore held (a) pursuant to regulations of the Agricultural Adjustment Administration or (b) in connection with a marketing agreement pursuant to regulations of the Agricultural Adjustment Administration, due notice and opportunity for hearing to interested parties shall be given in accordance with the provisions of General Regulations, Series 9.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

(Sec. 300 and Sec. 500, as amended, of General Regulations, Series 4, Revision 1; and Sections 303 and 304, amending Article III, General Regulations, Series 4, Revision 1.)

RELATING TO ISSUANCE AND REQUIREMENTS OF
LICENSES; AND EXCLUSION AND INCLUSION OF
CERTAIN PERSONS FROM LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, M. L. WILSON, Acting Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendments to General Regulations, Series 4, Revision 1, as amended, by striking out Section 300 of Article III, as amended, and inserting in lieu thereof the following Section 300, and by adding thereto Sections 303 and 304 and by striking out Section 500, of Article V, and inserting in lieu thereof the following Section 500, which amendments are to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 29th day of October, 1934.



M. L. Wilson

Acting Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE, Oct. 30, 1934.

ARTICLE III—LICENSES

SEC. 300. *Issuance of Licenses.*—A license may be issued by the Secretary pursuant to Section 8 (3) of the Act to a person or a class or classes of persons engaged in handling any agricultural com-

modity or product thereof, or competing commodity or product thereof. A class may embrace one or more persons. Where a license is issued to a class or classes, a description and definition of such class or classes shall be specifically stated in such license. The definition and description of such class or classes shall rest in the sole discretion of the Secretary, but shall be based upon the nature of business, kind of commodity or product, method of handling, area of operations, number of persons engaged in handling, and any other factors deemed relevant by the Secretary to effectuate the declared policy of the Act. Where the license is issued to a class or classes, it shall, except as provided in Section 303 of these Regulations, cover every person embraced within the class described in such license at the time the license first becomes effective and every person who may thereafter, during the effective period of the license, become engaged in business so as to bring him within the class described in such license. The license shall permit the persons included in it to engage in handling in the current of interstate or foreign commerce the agricultural commodity or products thereof, or competing commodity or products thereof, designated in the license, subject to the terms and conditions of the license.

SEC. 303. *Exclusion of violators.*—Where a license is issued to a class or classes, pursuant to Section 300 of these regulations, the Secretary may, if the Secretary determines that to do so will tend to effectuate the declared policy of the Act, exclude from the class or classes to whom such license is issued persons as to whom a prior license, covering the handling of the same commodity and/or product, has, in accordance with the applicable provisions of General Regulations, Series 3, as amended, been revoked or suspended by reason of the violation of any term or condition of such prior license and has not been reinstated, or whom the Secretary, after due notice and opportunity for hearing in accordance with the said regulations, or any Court of competent jurisdiction, has found to have violated any term or condition of such prior license, unless prior to the issuance of such license such persons shall have been reinstated as licensees in accordance with the said regulations, or such finding has been vacated.

SEC. 304. *Inclusion of person excluded.*—Whenever any person has, pursuant to section 303 of these regulations, been excluded from the class or classes covered by any license issued under this Act, such person may make application in writing to the Secretary to be included under such license. If it appears to the Secretary that the violation of the prior license by such person was not wilful or in bad faith, the Secretary shall issue an order including such applicant as a licensee under the license, upon a showing satisfactory to the Secretary that the applicant is able and willing in good faith to comply with the terms and conditions thereof; and if it appears that the violation of such prior license was wilful or in bad faith, the Secretary shall issue an order including the applicant as a licensee under the license upon a showing satisfactory to the Secretary that (a) the applicant is able and willing in good faith to comply with the terms and conditions of the license and (b) upon the furnishing of a bond in such form and in such penalty as the Secretary may determine, conditioned upon the applicant's compliance with the terms

and conditions of the License or upon such other conditions as the Secretary may determine. The inclusion of a person under a license, pursuant to this section, shall not be construed to exempt any person from fines or penalties or to forgive any obligations incurred by reason of his engaging in business without being licensed as required by the Secretary, or by reason of his violating any term or condition of any license issued by the Secretary.

SEC. 500. *Requirement of license.*—Whenever the Secretary has issued a license, no person, while said license is in effect, shall, in the territory covered by and in said license, engage in the handling of any commodity or product thereof as described in such license unless such person has been licensed in and by said license to engage in the handling of such commodity or product thereof as described in said license, or unless and until such person has been included within the class or classes covered by such license pursuant to the provisions of section 304 of these regulations.



FEB 27 1935



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

General Regulations, Series 4, Revision 2

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE, WITH THE APPROVAL OF THE PRESIDENT, UNDER THE AGRICULTURAL ADJUSTMENT ACT, APPROVED MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law (constituting a revision of and superseding those certain regulations mentioned in Section 200 of Article II hereof, particularly General Regulations, Series 4, Revision 1, and amendments thereto), to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 14th day of December, 1934.

H. A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE, December 14, 1934.

ARTICLE I—DEFINITIONS

SECTION 100.¹ As used in these regulations:

(a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "person" means an individual, corporation, partnership, unincorporated association, or any other business unit.

¹ Sections of these regulations are numbered according to the corresponding numbers of the articles. Thus, the first section of the first article is section 100, the first section of the second article is section 200, etc.

(c) The term "Secretary" means the Secretary of Agriculture of the United States.

(d) The term "license" means any license issued by the Secretary pursuant to section 8 (3) of the Act and under these regulations.

(e) The term "licensee" means any person licensed by the Secretary pursuant to section 8 (3) of the Act and under these regulations.

(f) The term "commodity" means any agricultural commodity, or product thereof, or any competing commodity or product thereof as defined by the Act.

(g) The term "handling" means processing, distributing, storing, and/or dealing with any commodity, in any manner, in the current of interstate and/or foreign commerce.

ARTICLE II—REGULATIONS REVISED AND SUPERSEDED HEREBY

SECTION 200. These regulations constitute a revision of and supersede General Regulations, Series 4, Revision 1, approved by the President on January 3, 1934, and the Articles of Amendment thereto numbered 1, 2, 3 and 4, approved by the President on June 5, 1934, August 6, 1934, August 15, 1934 and October 30, 1934, respectively, together with such other General Regulations or Articles thereof, revised and/or superseded by the foregoing.²

ARTICLE III—ISSUING LICENSES

SECTION 300. A license may be issued by the Secretary pursuant to Section 8 (3) of the Act to a person or persons or a class or classes of persons engaged in handling any commodity. A class may embrace one or more persons. Where a license is issued to a class or classes, a description and definition of such class or classes shall be specifically stated in such license. The definition and description of such class or classes shall rest in the sole discretion of the Secretary, but shall be based upon the nature of business, kind of commodity, method of handling, area of operations, number of persons engaged in handling, and any other factors deemed relevant by him to effectuate the declared policy of the Act. Where the license is issued to a class or classes, it shall, except as provided in Section 303 of these regulations, cover every person embraced within the class described in such license at the time such license first becomes effective and every person who may thereafter, during the effective period of such license, become engaged in business so as to bring him within the class described in such license. The license shall permit the persons included in it to engage in handling in the current of interstate and/or foreign commerce the commodity designated in such license, subject to the terms and conditions of such license.

SEC. 301. Each license shall become effective on such date as the Secretary may determine.

² The Regulations and Articles of Regulations, referred to are: Milk Regulations, Series 1, approved by the President July 22, 1933; Section 300 of Article III of General Regulations, Series 3, approved by the President on August 26, 1933; General Regulations, Series 3, Article of Amendment No. 1, approved by the President August 30, 1933; and General Regulations, Series 4, approved by the President on August 16, 1933.

SEC. 302. (a) Public notice of the issuance of any license issued pursuant to these regulations shall be given at least three (3) days prior to the effective date thereof, by (1) posting a copy of such license on the official bulletin board in the main building of the Department of Agriculture in Washington, D. C. and (2) issuing a press release relating to such license which shall describe the industry and/or area covered thereby and give the date of its approval by the Secretary, the date on which it is to become effective, and information as to where copies thereof may be obtained.

(b) Such license when issued shall be filed as a public record in the office of the chief hearing clerk of the Agricultural Adjustment Administration. Any person shall be entitled to copies of such license upon application to said chief hearing clerk and upon payment of the reasonable cost thereof.

(c) The Secretary may determine, in connection with any such notice, that an emergency requires a shorter period of notice, in which case the period of notice shall be that which he determines to be reasonable under the circumstances.

SEC. 303. Where a license is issued to a class or classes, pursuant to Section 300 of these regulations, the Secretary may, if he determines that to do so will tend to effectuate the declared policy of the Act, exclude from the class or classes to whom such license is issued persons as to whom a prior license, covering the handling of the same commodity has, in accordance with the applicable provisions of General Regulations, Series 3, as amended, been revoked or suspended by reason of the violation of any term or condition of such prior license and has not been reinstated, or whom the Secretary, after due notice and opportunity for hearing in accordance with applicable General Regulations, or any court of competent jurisdiction, has found to have violated any term or condition of such prior license, unless prior to the issuance of such license such persons shall have been reinstated as licensees in accordance with applicable General Regulations, or such finding shall have been vacated.

SEC. 304. Whenever any person has, pursuant to section 303 of these regulations, been excluded from the class or classes covered by any license issued under the Act, such person may make application in writing to the Secretary to be included under such license. If it appears to the Secretary that the violation of the prior license by such person was neither wilful nor in bad faith, the Secretary shall issue an order including such applicant as a licensee under such license, upon a showing satisfactory to the Secretary that such applicant is able and willing in good faith to comply with the terms and conditions thereof; and if it appears that the violation of such prior license was wilful or in bad faith, the Secretary shall issue an order including such applicant as a licensee under such license upon (a) a showing satisfactory to the Secretary that such applicant is able and willing in good faith to comply with the terms and conditions of such license and (b) the furnishing of a bond in such form and in such penalty at the Secretary may determine, conditioned upon such applicant's compliance with the terms and conditions of such license or upon such other conditions as the Secretary may determine. The inclusion of a person under a license, pursuant to this section, shall not be construed to exempt any person from fines or penalties or to

forgive any obligations incurred by reason of his engaging in business without being licensed as required by the Secretary, or by reason of his violating any term or condition of any license issued by the Secretary.

ARTICLE IV—AMENDING LICENSES

SECTION 400. The Secretary may, from time to time, amend any license: *Provided*, That after the effective date hereof, unless he shall find that the subject matter of such amendment was embraced within the scope of a hearing theretofore held (a) pursuant to applicable regulations of the Agricultural Adjustment Administration or (b) in connection with a marketing agreement pursuant to applicable regulations of the Agricultural Adjustment Administration, due notice and opportunity for hearing to interested parties shall be given in accordance with the provisions of General Regulations, Series 9, as amended.

SEC. 401. Any such amendment to any license shall become effective on such date as the Secretary may determine.

SEC. 402. (a) The Secretary shall cause notice to be given of any amendment to any license in the same manner as is provided for giving notice of the issuance of any license in section 302 of these regulations.

(b) All amendments to any licenses shall be filed as public records in the office of the chief hearing clerk of the Agricultural Adjustment Administration. Any person shall be entitled to copies of any amendment to any license upon application to said chief hearing clerk and upon payment of the reasonable cost thereof.

(c) The Secretary may determine, in connection with any such notice, that an emergency requires a shorter period of notice, in which case the period of notice shall be that which he determines to be reasonable under the circumstances.

ARTICLE V—WHEN LICENSE REQUIRED TO ENGAGE IN THE HANDLING OF COMMODITY

SECTION 500. Whenever the Secretary has issued a license, no person, while said license is in effect, shall, in the territory covered by and in said license, engage in the handling of any commodity as described in such license unless such person has been licensed in and by said license to engage in the handling of such commodity, or unless and until such person has been included within the class or classes covered by such license pursuant to the provisions of section 304 of these regulations.

SEC. 501. Whenever the license of any person engaged in the handling of any commodity or commodities, described in such license, has been, or hereafter shall be, revoked or suspended by the order of the Secretary, pursuant to said section 8 (3) of the Act and applicable General Regulations such person shall not engage in the handling of such commodity or commodities after the effective date of such order of revocation or (as the case may be) during the period of suspension stated in such order of suspension.

ARTICLE VI—MODIFYING LICENSES

SECTION 600. If any person licensed under the Act, or any person affected by such license, considers himself aggrieved by any term or condition thereof, or by the operation or effect thereof upon his business, such person may file with the Secretary a written application for modification thereof, setting forth the grounds therefor; and thereafter the Secretary shall, when it appears to him from the face of the complaint that it is not without merit, set the complaint down for a hearing.

SEC. 601. The hearing provided for by section 600 of these regulations shall be conducted by a presiding officer, who shall be the Secretary or such officer or employee of the Department of Agriculture as the Secretary may designate for the purpose. Any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearing shall be conducted in the manner, to be determined by such presiding officer, as will best conduce to the proper dispatch of business and the attainment of justice. Such presiding officer shall at such hearing generally follow, as closely as possible insofar as the same may be applicable, the procedure provided for hearings relating to the revocation or suspension of licenses as provided in General Regulations, Series 3, article II, sections 209, 210, 211, 212 (b), 213, and 216.

SEC. 602. All orders, notices, findings, and formal documents requiring the signature of the Secretary under the provisions of article VI of these regulations may be signed in his name by such officer or employee of the Department of Agriculture as the Secretary may designate for such purpose, and any such designation may be made or revoked by the Secretary at any time before or during any proceeding: *Provided*, That all orders modifying any licenses shall be signed by the Secretary.

SEC. 603. Upon due application to such presiding officer prior to the rendering of a decision by the Secretary, the hearing may, in the discretion of such presiding officer, be reopened by him for the taking of additional testimony or the presentation of additional evidence.

SEC. 604. As soon as practicable after the conclusion of such hearing, such presiding officer shall make proposed findings of fact and shall report the same to the Secretary together with his recommendations and the record of the proceedings. The Secretary shall thereafter render his decision and shall enter an order modifying such license, if he so decides, or denying the application to modify such license. Such order may contain findings of fact of the Secretary, and such order shall be filed in the office of the chief hearing clerk of the Agricultural Adjustment Administration and shall there be available for public inspection.

SEC. 605. A hearing upon such application by any licensee for modification of any license may, in the discretion of the Secretary, be held in connection with, and as a part of proceedings brought under General Regulations, Series 10, or proceedings brought for the revocation or suspension of such license pursuant to General Regulations, Series 3; in which cases the proposed findings of fact and recommendations provided for by section 217 of General Regulations, Series 10, or by section 217 of General Regulations, Series 3,

shall include findings of facts and recommendations relative to such application for modification of such license; and the Secretary shall take such action upon such application to modify as will, in the judgment of the Secretary, tend to effectuate the declared policy of the Act.

ARTICLE VII—ENJOINING VIOLATIONS OF LICENSES

SECTION 700. Nothing contained in any of the provisions of article VI of these regulations or article II of General Regulations, Series 3, as amended, or article II of General Regulations, Series 10, shall be construed in such a manner as to prevent, preclude or delay the Secretary or the United States of America, or both, from instituting (either before or after (a) such application for the modification of a license has been made under article VI hereof or (b) revocation or suspension proceedings have been brought under article II of General Regulations, Series 3, as amended, or (c) proceedings have been brought under article II of General Regulations, Series 10) appropriate court proceedings to enjoin violations of any license issued by the Secretary pursuant to section 8 (3) of the Act.

ARTICLE VIII—CERTIFICATES

SECTION 800. Any person licensed pursuant to these regulations may upon application in accordance with a form prescribed by the Secretary and upon payment of a fee of \$2 obtain a certificate evidencing the fact that the holder thereof is a licensee under these regulations; but the obtaining of such certificate shall not be necessary to constitute any person a licensee. Such certificate shall be nontransferable, and shall be in effect only so long as such license has not been suspended, revoked, or modified with respect to such licensee, and shall be surrendered for cancelation upon the suspension, revocation, or modification of such license with respect to such holder.

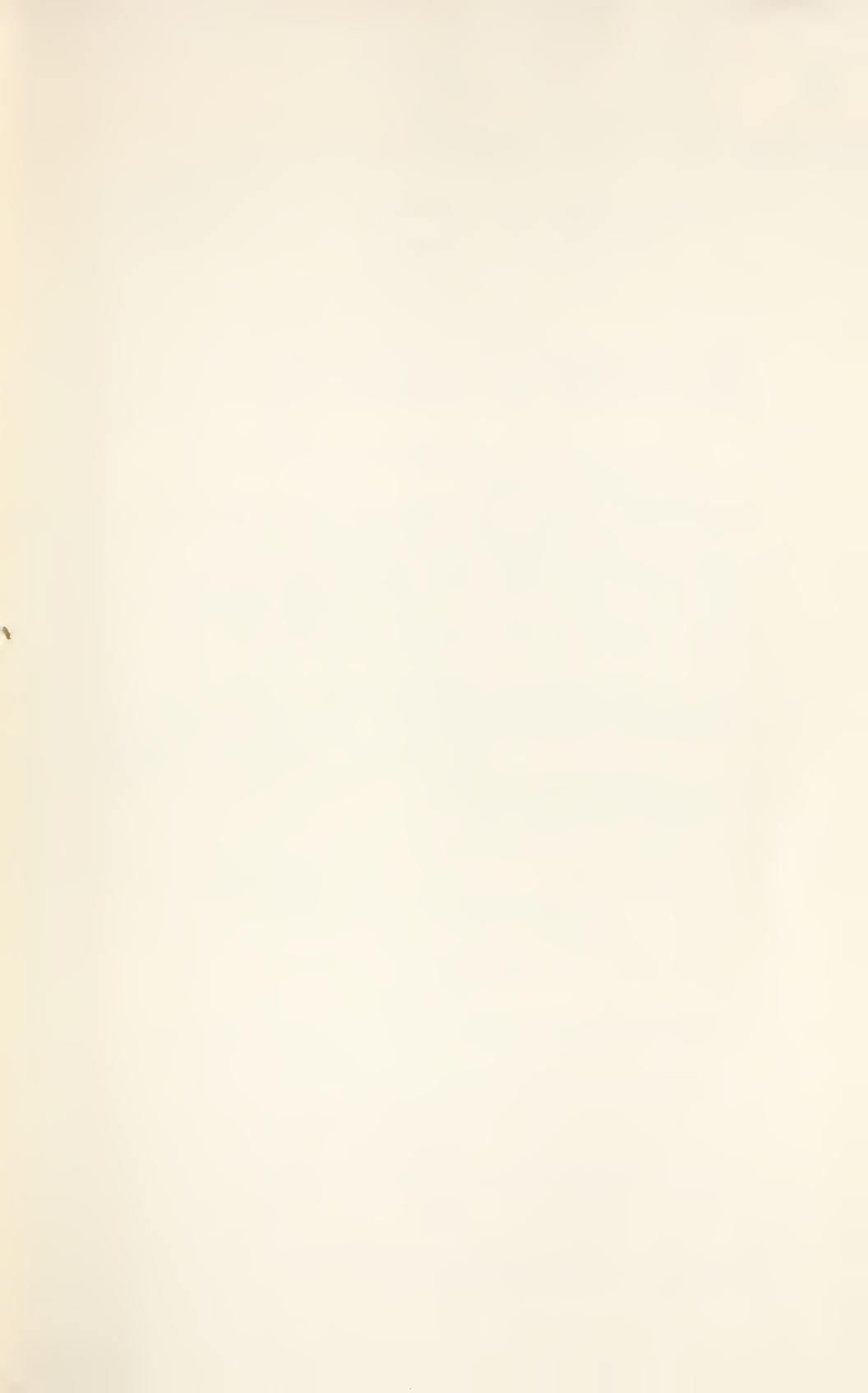
ARTICLE IX—PUBLIC NOTICE OF FOREGOING REGULATIONS—HOW GIVEN

SECTION 900. Public notice of the issuance of the foregoing regulations shall be given by:

(a) Posting a copy of such regulations on the official bulletin board in the main building of the Department of Agriculture in Washington, D. C.;

(b) Issuing a press release containing copies of such regulations and making available in the office of the Secretary copies of such regulations for the press; and

(c) Forwarding by mail copies of such regulations to the Governors of the several States of the United States and to the executive heads of the Territories of the United States.



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(GENERAL REGULATIONS, SERIES 5)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 9th day of October 1933.



H. A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

OCTOBER 9, 1933.

ARTICLE I—DEFINITIONS

SEC. 100¹. As used in these regulations:

- (a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.
- (b) The term "Secretary" means the Secretary of Agriculture of the United States.
- (c) The term "Department" means the United States Department of Agriculture.
- (d) The term "license" means any license which has been or may hereafter be issued by the Secretary pursuant to Section 8 (3) of the Act.

¹The Sections of these regulations are numbered decimally according to the corresponding numbers of the Articles. Thus the first section of the first Article is Section 100, the first Section of the second Article is Section 200, etc.

(e) The term "person" means any individual, corporation, partnership, unincorporated association, or any other business unit licensed by the Secretary pursuant to Section 8 (3) of the Act or a party to any marketing agreement entered into by the Secretary pursuant to Section 8 (2) of the Act.

(f) The term "confidential information" means all facts relating to the business of any person which have been specifically designated in writing by such person as confidential at the time when obtained by or furnished to the Secretary, and to which the Secretary would not otherwise be entitled were it not for the provisions of a license or a marketing agreement entered into under Section 8 (2) of the Act.

(g) The term "books and records" means any books, records, accounts, contracts, documents, memoranda, papers, correspondence, or other written data belonging to, or furnished to the Department by, any person, and pertaining to the business of such person.

ARTICLE II—PROVISIONS RELATING TO DIVULGING CONFIDENTIAL INFORMATION AND THE PENALTIES PRESCRIBED THEREFOR

SEC. 200. Any officer, employee, agent, or expert of the Department who shall wilfully divulge or make known in any manner any confidential information regarding the business of any person which may come to the knowledge of such officer, employee, agent, or expert through an examination or inspection of the books and records of such person or in any other manner, except to other officers, employees, agents, or experts of the Department who may be entitled to have such knowledge in the regular course of their official duties, or except upon lawful demand made by the President, by either House of Congress or any committee thereof, or except as he may be required by subpoena or other legal process to testify as to the same in a court of competent jurisdiction or except as he may be required to testify in any hearing, authorized by the Act, or by Regulations issued pursuant thereto, for the suspension or revocation of the license of the person from whom such information was obtained or by whom it was furnished, shall be liable to a penalty to be imposed by the Secretary of not less than \$25.00 nor more than \$100.00 for each offense.

Nothing in these Regulations shall be construed to prohibit any officer, employee, agent, or expert of the Department from combining confidential information obtained from any persons in the form of general statistical studies or data in which the identity of the persons furnishing the information is not disclosed, or to impose any penalty for the disclosure of such general statistical studies or data.

SEC. 201. Before any penalty herein provided for shall be imposed by the Secretary, the Secretary shall give due notice in writing to the alleged offender specifying in detail the charges against him, and shall afford him an opportunity to answer said charges in writing and to be heard in his defense, and at such hearing to be represented by counsel.

SEC. 202. All penalties hereinabove prescribed shall accrue to the United States and may be recovered in a civil suit brought in the name of the United States.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(General Regulations, Series 5, Revision 1)

RELATING TO CONFIDENTIAL INFORMATION AND
PROHIBITIONS AGAINST EMPLOYEES BECOMING AS-
SOCIATED WITH CERTAIN BUSINESS GROUPS AFTER
LEAVING THE DEPARTMENT

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, APPROVED MAY 12, 1933, AS AMENDED, AND UNDER EXECUTIVE ORDERS ISSUED BY THE PRESIDENT PURSUANT TO THE NATIONAL INDUSTRIAL RECOVERY ACT, APPROVED JUNE 16, 1933.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, and by virtue of the functions and powers delegated to the Secretary of Agriculture by Executive Order of the President dated January 8, 1934, amending Executive Order No. 6182 of June 26, 1933, as supplemented by Executive Order No. 6207 of July 21, 1933, and Executive Order No. 6345 of October 20, 1933, under the National Industrial Recovery Act, approved June 16, 1933, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish and give public notice of the following regulations (constituting a revision of and superseding General Regulations, Series 5, approved by the Secretary, October 9, 1933) with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President.



In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 3rd day of July, 1934.

H. A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

JULY 5, 1934

ARTICLE I—DEFINITIONS

SECTION 100.¹ As used in these regulations:

(a) The term "Agricultural Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Recovery Act" means the National Industrial Recovery Act, approved June 16, 1933.

(c) The term "Secretary" means the Secretary of Agriculture of the United States.

(d) The term "Department" means the United States Department of Agriculture.

(e) The term "license" means any license which has been, or may hereafter be, issued by the Secretary pursuant to Section 8 (3) of the Agricultural Act.

(f) The term "agreement" means any marketing agreement which has been, or may hereafter be, entered into by the Secretary pursuant to Section 8 (2) of the Agricultural Act.

(g) The term "code" means any code of fair competition which has been, or may hereafter be, prescribed by the Secretary and approved by the President pursuant to Section 3 of the Recovery Act.

(h) The term "order" means (1) any order issued by the Secretary pursuant to the powers vested in him by the Agricultural Act, including any order of the Secretary revoking a license pursuant to Section 8 (3) of the Agricultural Act, or (2) any order issued by the Secretary pursuant to the powers conferred on him by Executive Order issued by the President under Section 8(b) of the Recovery Act.

(i) The term "person" means any individual, corporation, partnership, unincorporated association or any other business unit.

(j) The term "official" means (1) the Secretary, (2) any officer, employee, clerk, expert or other person employed by the Department, and (3) any market administrator, control committee, code authority, managing agent or other person or committee appointed by the Secretary or selected or elected pursuant to the provisions of any agreement, license or code, who performs duties prescribed by such agreement, license or code, or any agent or employee of any market administrator, control committee, code authority, managing agent or such other person or committee.

(k) The term "information" means and includes reports, books, accounts, records, and the facts and information contained therein, required to be furnished to any official pursuant to the provisions of any agreement, license, or code.

ARTICLE II—PROVISIONS RELATING TO CONFIDENTIAL INFORMATION

SEC. 200. To the extent not otherwise expressly provided by any agreement, license or code, (a) all information in the possession of any official which relates to the business or property of any person and which was furnished by or obtained from such person pursuant

¹ The Sections of these regulations are numbered according to the corresponding numbers of the Articles. Thus the first Section of the first Article is Section 100, the first Section of the second Article is Section 200, etc.

to the requirements of any marketing agreement or license, and (b) all information in the possession of any official which relates to the business or property of any person and which was furnished by or obtained from such person pursuant to the requirements of any code administered by the Secretary in the exercise of the functions and powers delegated to the Secretary by Executive Order of the President dated January 8, 1934, amending Executive Order No. 6182 of June 26, 1933, as supplemented by Executive Order No. 6207 of July 21, 1933, and Executive Order No. 6345 of October 20, 1933, shall be kept confidential and shall not be disclosed, divulged or made public except that:

(a) Such information may be disclosed, divulged or made public if and to the extent that the same information has been obtained by or furnished to such official in some manner other than pursuant to the requirements of such marketing agreement, license or code, or from a person, not an official, other than the person to whose business or property such information relates; or if such information is otherwise required by law to be furnished to such official.

(b) Such information may be furnished to other officials for use in the regular course of their official duties.

(c) Such information may be combined and published in the form of general statistical studies or data in which the identity of the person furnishing such information or from whom it was obtained shall not be disclosed.

(d) Such information may be disclosed upon lawful demand made by the President, or by either House of the Congress or any committee thereof, or in response to a subpoena issued by any court of competent jurisdiction.

(e) Such information may be offered in evidence (whether or not it has been obtained from or furnished by the person or persons against whom it is offered) by or on behalf of the Secretary, the United States and/or the official who obtained it or to whom it was furnished:

(1) In any administrative hearing held pursuant to the Agricultural Act or the Recovery Act.

(2) In any action, suit or proceeding (at law or in equity, civil or criminal) in which the Secretary, the United States and/or the official who obtained such information, or to whom it was furnished, are parties (a) which is instituted for the purpose of enforcing or restraining the violation of any license, agreement, code or order, or for collecting any penalty or forfeiture provided for in the Agricultural Act or the Recovery Act, or (b) in which the validity, propriety or applicability of an agreement, license, code or order is challenged or involved.

All disclosures and all making public of any information obtained by any official, except as forbidden to be disclosed, divulged or made public by this section, is hereby expressly authorized by the Secretary.

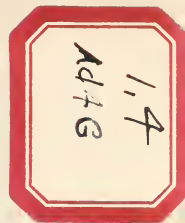
SEC. 201. Any official who shall have been determined by the Secretary to have violated the provisions of Section 200 of this Article, by willfully divulging, disclosing or making public any information obtained by or furnished to or in the possession or custody of such official pursuant to the provisions of any code, shall upon convic-

tion, be subject to the penalties prescribed by Section 10 (a) of the Recovery Act. Any official who shall have been determined by the Secretary to have violated the provisions of Section 200 of this Article by willfully divulging, disclosing or making public any information obtained by or furnished to or in the possession or custody of such official pursuant to the provisions of any agreement or license, shall upon conviction, be subject to the penalty of \$100 for each offense.

ARTICLE III—PROVISIONS PROHIBITING EMPLOYEES FROM BECOMING ASSOCIATED WITH CERTAIN BUSINESS GROUPS AFTER LEAVING THE DEPARTMENT

SEC. 300. Unless the prior written consent of the Secretary is first obtained, no officer, attorney, clerk or employee of the Department who, during the period of his employment in the Department, shall have had any part in any negotiations between the Secretary and any person or persons in connection with any agreement, license or code, shall, for the period of two years immediately following the termination of such employment, serve as a member of any supervisory body, executive committee, council, control board, code authority, or other governing or administrative board or tribunal, established by or pursuant to any such agreement, license or code, nor shall he during such period serve as manager, managing agent, executive secretary, or attorney for, or otherwise accept employment or become associated with any such administrative or governing board or tribunal.

SEC. 301. Any person who shall violate the provisions of Section 300 of this Article shall, upon conviction, be subject to a penalty of not more than \$100 for each day during which such violation shall continue, and each day during which such violation continues shall constitute a separate offense.



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(General Regulations, Series 6)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED, AND EXECUTIVE ORDERS ISSUED BY THE PRESIDENT UNDER THE NATIONAL INDUSTRIAL RECOVERY ACT, JUNE 16, 1933

UNITED STATES DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, and by virtue of the functions and powers delegated to me by Executive Orders of the President of the United States, issued under the National Industrial Recovery Act, approved June 16, 1933, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 24th day of Oct. 1933.



H. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

OCTOBER 24, 1933.

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ARTICLE I

DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "Agricultural Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Recovery Act" means the National Industrial Recovery Act, approved June 16, 1933.

(c) The term "Secretary" means the Secretary of Agriculture of the United States.

(d) The term "Department" means the United States Department of Agriculture.

(e) The term "license" means any license which has been, or may hereafter be, issued by the Secretary pursuant to Section 8 (3) of the Agricultural Act or Section 4 (b) of the Recovery Act.

(f) The term "person" means an individual, corporation, partnership, unincorporated association or any other business unit.

(g) The term "books and records" means any books, records, contracts, documents, memoranda, papers, correspondence or other written data belonging to, or furnished to the Department by any person, and pertaining to the business of such person.

ARTICLE II

PROVISIONS RELATING TO EXAMINATION OF WITNESSES, DOCUMENTARY EVIDENCE, ISSUANCE OF SUBPOENAS, APPEARANCES, AND TAKING OF DEPOSITIONS

SEC. 200. *Subpoenas. Who May Issue—*

Subpoenas requiring the attendance of witness from any place in the United States at any designated place of hearing and subpoenas for the production of books and records may be issued by the Secretary, or in the name of the Secretary by such officer or employee of the Department as he may designate for the purpose.

SEC. 201. *Subpoenas Duces Tecum. Specific Written Application Therefor—*

Subpoenas for the production of books and records in behalf of parties to any proceeding or investigation under either the Agricultural Act or the Recovery Act, will issue only upon application in writing, unless issued by the Secretary upon his own motion. Applications to compel witnesses who are not parties to the proceeding or investigation, or agents of such parties, to produce documentary evidence must be verified and must specify, as nearly as may be, the books, and records desired and the facts to be proved by them. Applications to compel a party to the proceedings or investigations to produce books and records, should set forth the books and records sought, with a showing in either case that they will be of service and material in the determination of the proceeding or investigation.

¹The Sections of these regulations are numbered decimally according to the corresponding numbers of the Articles. Thus, the first Section of the first Article is Section 100; the first Section of the second Article is Section 200, etc.

SEC. 202. *Fees of Witnesses—*

Witnesses who are summoned and who appear in such proceedings or investigations shall be entitled to the same fees and mileage paid witnesses in the courts of the United States, such fees and mileage to be paid by the party at whose instance the subpoena is issued.

Claims for fees and mileage of witnesses subpoenaed at the instance of the Secretary shall be proved before the Presiding Officer.

Claims for fees and mileage of witnesses subpoenaed at the instance of any other party to the proceeding or investigation shall be presented to the party at whose instance the subpoena is issued.

SEC. 203. *Return of Subpoena, Manner of Service.—*

Service of subpoena may be made either by personal service or by registered mail. If service of subpoena is made by a United States marshal or deputy, his return thereon shall be evidence of such service. If made by any other person, such person shall make affidavit thereof describing the manner in which service was made, and return such affidavit on or with the original subpoena in accordance with the form thereon. If service be made by registered mail, a return card, signed by the person subpoenaed or his duly authorized agent, shall be required as evidence of service and same shall be attached to the affidavit of mailing. In case of failure to obtain service the reasons therefor shall be stated on the original subpoena by the person attempting to make service. In making personal service the original subpoena shall be exhibited to the person served, shall be read to him if he is unable to read, and a duplicate original thereof shall be left with him. The original subpoena, bearing or accompanied by the required return, affidavit, or statement, shall be returned forthwith to the Hearing Clerk or, if so directed on the subpoena, to the Presiding Officer before whom the person named in the subpoena is required to appear.

SEC. 204. *Appearances in Proceedings Relating to Revocation or Suspension of Licenses—*

Parties to proceedings relating to the revocation or suspension of licenses may appear in person or be represented by attorneys at law in good standing who have been admitted to practice before the Supreme Court of the United States, or the highest court of any state or territory of the United States, or the Court of Appeals, or the Supreme Court of the District of Columbia. Any individual who, or member of a partnership which, is a party to any such proceeding may appear for himself or such partnership upon adequate identification, and a corporation or association may be represented by a bona fide officer of such corporation or association. Any person appearing as counsel or representative for any other person in proceedings relating to the revocation or suspension of licenses shall thereupon file with the Secretary or the Presiding Officer a Power of Attorney to act as such counsel or representative.

The Presiding Officer may deny, suspend or revoke the right of any attorney to represent others in proceedings relating to the revocation or suspension of licenses who is shown not to possess the requisite qualifications to represent others or who is shown to be

lacking in character or integrity or is shown to be guilty of unprofessional conduct. Before taking such action, the Presiding Officer shall afford the attorney an opportunity to be heard and such attorney may appeal from determination of the Presiding Officer upon such question to the Secretary, whose decisions thereon shall be final.

SEC. 205. *Relevant and Material Matter Designated as Offered—*

When relevant and material matter offered in evidence in any formal hearing conducted by the Secretary under either the Agricultural Act or the Recovery Act by any party is embraced in a book, paper, or document containing other matter, not material or relevant, the party seeking to offer the same in evidence must plainly designate the nature of the data to be considered. If the other matter is in such volume as would encumber the record, such book, paper, or document will not be received in evidence but may be marked for identification and, if properly authenticated, the relevant and material matter may be read into the record, or, if the Presiding Officer so directs, a true copy of such matter, in proper form, shall be received as an exhibit, and a true copy thereof shall be delivered by the party offering the same to all opposing parties or their attorneys appearing at the hearing, who shall be afforded opportunity to examine the book, paper, or document, and to offer in evidence in like manner other portions thereof if found to be material and relevant.

Officially printed publications of the United States Government and of the various States, when material or relevant, shall be received in evidence without authentication, and copies of reports of any governmental department or agency made by an employee thereof in the course of his duties insofar as they are material shall be admissible in evidence without further authentication than a statement from the proper custodian of any such record or from the person compiling the same that the copy in question is a true copy of such record and that the record is what it purports to be.

SEC. 206. Any party, other than the Secretary, to any proceeding or investigation held by the Secretary under the Agricultural Act or Recovery Act desiring to take the deposition of any witness shall make written application therefor to the Secretary, or such officer or employee of the Department as the Secretary may designate for the purpose, setting forth in such application the name and Post Office address of the witness, the title of the proceedings, the time and place proposed for the taking of the deposition, and the name and Post Office address of an officer authorized to administer oaths before whom it is desired that the deposition be taken. Thereupon, the Secretary, or such officer or employee of the Department as he may designate for the purpose, shall, by order, designate a person having power to administer oaths to take said deposition, and shall designate the time and place of the taking of the deposition, and the time, manner, place, to which and the person to whom the deposition shall be returned. Thereafter, the person taking the deposition shall, after certifying thereto, return the same to the person and in the manner designated in the order. The applicant for said order shall, thereupon, cause to be served, personally or by registered mail,

upon the other parties, or their attorneys of record, copies of said order not less than five days before the time of the taking of the deposition when the deposition is to be taken within the United States, and not less than fifteen days before the time of taking of the deposition when the deposition is to be taken in a foreign country, and the service of such copies shall be evidenced by returns in the same manner as provided in Sec. 203 hereof relating to the returns of subpoenas. Any such person having power to administer oaths and designated by the Secretary as the person before whom the deposition shall be taken, shall have power to issue subpoenas in the name of the Secretary, requiring the witness, or witnesses, named in the said order to appear and testify and/or to produce documentary evidence. Whenever the Secretary as a party to any proceeding held by the Secretary under the Agricultural or Industrial Acts shall desire to take the deposition of any witness, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may, on his own motion, issue said order and give said notice to the other parties to the proceeding or their attorneys of record.

SEC. 207. Sec. 400 of Article IV of General Regulations, Series 1, Revision 1, relating to examination of documentary evidence, issuance of subpoenas, and taking of depositions is hereby superseded.

APPENDIX

Pursuant to the provisions of Section 10, Sub-sec. (h) of the Agricultural Act, the following provisions known as Sections 8, 9, and 10 of the Federal Trade Commission Act, approved September 26, 1914, are made applicable to the jurisdiction, powers, and duties of the Secretary under the Agricultural Act:

"8. That the several departments and bureaus of the Government, when directed by the President, shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any corporation subject to any of the provisions of this Act, and shall detail from time to time such officials and employees to the commission as he may direct.

"9. That for the purposes of this Act the commission, or its duly authorized agent or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any corporation being investigated or proceeded against; and the commission shall have power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation. Any member of the commission may sign subpoenas; and members and examiners of the commission may administer oaths and affirmations, examine witnesses, and receive evidence.

"Such attendance of witnesses, and the production of such documentary evidence, may be required from any place in the United States, at any designated place of hearing. And in case of disobedience to a subpoena the commission may involve the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence.

"Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any corporation or other person, issue an order requiring such corporation or other person to appear before the commission, or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"Upon the application of the Attorney General of the United States, at the request of the commission, the district courts of the United States shall have jurisdiction to issue writs of mandamus commanding any person or corporation to comply with the provisions of this Act or any order of the commission made in pursuance thereof.

"The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this Act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having

power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission as hereinbefore provided.

"Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"No person shall be excused from attending and testifying or from producing documentary evidence before the commission or in obedience to the subpoena of the commission on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify, or produce evidence, documentary or otherwise, before the commission in obedience to a subpoena issued by it: *Provided*, That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

"10. That any person who shall neglect or refuse to attend and testify, or to answer any lawful inquiry, or to produce documentary evidence, if in his power to do so, in obedience to the subpoena or lawful requirement of the commission, shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than \$1,000 nor more than \$5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

"Any person who shall wilfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this Act, or who shall wilfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any corporation subject to this Act, or who shall wilfully neglect or fail to make, or cause to be made, full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of such corporation, or who shall wilfully remove out of the jurisdiction of the United States, or wilfully mutilate, alter, or by any other reason falsify any documentary evidence of such corporation, or who shall wilfully refuse to submit to the commission or to any of its authorized agents, for the purpose of inspection and taking copies, any documentary evidence of such corporation in his possession or within his control, shall be deemed guilty of an offense against the United States, and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than \$1,000 nor more than \$5,000 or to imprisonment for a term of not more than three years, or to both such fine and imprisonment.

If any corporation required by this Act to file any annual or special report shall fail so to do within the time fixed by the commission for filing the same, and such failure shall continue for thirty days after notice of such default, the corporation shall forfeit to the United States the sum of \$100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where the corporation has its principal office or in any district in which it shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

“Any officer or employee of the commission who shall make public any information obtained by the commission without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by fine and imprisonment, in the discretion of the court.”

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

(General Regulations, Series 7)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
Office of the Secretary.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish and give public notice of the following regulations, with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said act.



IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 3d day of January 1934.

Henry A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

President of the United States.

JANUARY 4, 1934.

ARTICLE I. DEFINITIONS

SEC. 100. As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "chief hearing clerk" means chief hearing clerk in the Agricultural Adjustment Administration, in the Department of Agriculture.

(d) The term "General Counsel" means General Counsel for the Agricultural Adjustment Administration, in the Department of Agriculture.

(e) The term "General Regulations" means and shall include any regulations made and approved by the Secretary of Agriculture pursuant to the act.

(f) The term "President" means the President of the United States.

(g) The term "hearing" shall mean and include any hearing held pursuant to any provision or provisions of title I of the act, and also any hearing for which the notice thereof is given by the Secretary and which is held pursuant to the provisions of sections 3 and 8 (b) of title I of the National Industrial Recovery Act, approved June 16, 1933.

ARTICLE II. CERTIFIED COPIES OF DOCUMENTS—TO BE EXECUTED BY CHIEF HEARING CLERK

SEC. 200. The chief hearing clerk (or any deputy hearing clerk) is hereby authorized and empowered to execute certified copies of (1) any license issued by the Secretary pursuant to section 8 (3) of the act, (2) any marketing agreement entered into by the Secretary pursuant to section 8 (2) of the act, (3) any code of fair competition, approved by the President (where the public hearing thereon was held by a presiding officer designated by the Secretary), (4) any document filed with the chief hearing clerk pursuant to General Regulations, or pursuant to written instructions received from General Counsel, (5) any order or document executed by the Secretary and filed in the office of the chief hearing clerk, and (6) any written instructions (referred to in this section 200) received by the chief hearing clerk from General Counsel. In executing such certified copies, the chief hearing clerk shall execute an appropriate certificate, certifying in substance that the document, to which the certificate of the chief hearing clerk is attached or appended, is a true and correct copy of the document on file in the office of the chief hearing clerk or (as the case may be) in the office of the Secretary. He shall sign said certificate as chief hearing clerk and shall attach thereto the seal of the chief hearing clerk.

SEC. 201. The chief hearing clerk may charge the public a reasonable fee for furnishing certified copies of any such documents to the public.

ARTICLE III. CERTIFIED COPIES EXECUTED PURSUANT TO SECTION 200, SUPRA—ADMISSIBLE IN EVIDENCE IN ANY HEARING TO WHICH THEY PERTAIN

SEC. 300. In any hearing, certified copies of any documents described in section 200 of article II, hereof, shall be received in evidence upon such hearing, when certified in accordance with section 200 supra, and whenever the original of the document certified is material or pertinent to the issues, or any fact in issue, in such hearing. Any such certified copy shall constitute prima facie evidence of (1) the due execution of the original document of which the certified copy purports to be a true copy, including the genuineness of all of the signatures thereto (if any); and (2) of the fact that such document was executed by the signer or signers of such document on the date such document purports to be executed; and (3) the fact (if so stated in such certificate) that the document so certified by the chief hearing clerk was filed in the office of the chief hearing clerk on the date so certified to in said certificate.

SEC. 301. Whenever a copy of a document described in section 200 of article II hereof is certified to by the chief hearing clerk as being a true and correct copy of an affidavit which was filed in the office of the chief hearing clerk, which affidavit recites in substance that any notice (pertaining to a hearing and required to be given by any General Regulations, whether by personal service, issuing press releases, posting on bulletin boards, or by mailing) was given pursuant to applicable General Regulations, then such certified copy of such affidavit or affidavits shall be received in evidence upon such hearing or hearings to which they pertain and shall constitute prima facie evidence of the truth of the facts recited in said affidavit or affidavits.

ARTICLE IV. DUTIES OF CHIEF HEARING CLERK

SEC. 400. The chief hearing clerk shall receive for filing, and shall promptly enter into his docket, all of the documents authorized or required to be filed in the office of the chief hearing clerk by General Regulations, and such other documents as may be specified from time to time in written general instructions by General Counsel.

SEC. 401. The chief hearing clerk shall perform all of his duties and conduct his office in accordance with all General Regulations pertaining thereto and in accordance with written instructions which may be issued from time to time by General Counsel, not in conflict with General Regulations.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

(General Regulations, Series 7, Revision 1)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish and give public notice of the following regulations, with the force and effect of law (constituting a revision of and superseding General Regulations, Series 7, approved by the Secretary January 3, 1934), to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

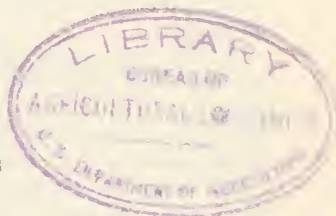


In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 23rd day of October, 1934.

H. A. Wallace
Secretary of Agriculture.

Approved: October 24, 1934

Franklin D. Roosevelt
President of the United States.



ARTICLE I—DEFINITIONS

SECTION 100. As used in these regulations:

(a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "Chief Hearing Clerk" means Chief Hearing Clerk in the Agricultural Adjustment Administration, in the Department of Agriculture.

(d) The term "General Regulations" means and includes any regulations made by the Secretary of Agriculture, and approved by the President of the United States pursuant to section 10 (c) of the Act.

(e) The term "marketing agreement" means any marketing agreement executed by the Secretary pursuant to section 8 (2) of the Act.

(f) The term "codes of fair competition" means codes of fair competition approved pursuant to section 3 (a) of the National In-

dustrial Recovery Act approved June 16, 1933, upon which a hearing has been or is being held pursuant to General Regulations, Series 2, as amended.

(g) The term "license" means any license issued by the Secretary pursuant to section 8 (3) of the Act.

(h) The term "General Counsel" means General Counsel for the Agricultural Adjustment Administration, in the Department of Agriculture.

(i) The term "seal" means the official seal of the Department of Agriculture procured and adopted as such seal by the Secretary pursuant to Title 5, Section 513, of the United States Code Annotated.

(j) The term "hearing" means any hearing described in section 201 of these regulations.

(k) The term "administrative order" means any administrative order made by the Secretary, which relates to the Agricultural Adjustment Administration of the Department of Agriculture.

ARTICLE II.—DOCUMENTS TO BE FILED IN THE OFFICE OF THE CHIEF HEARING CLERK

SECTION 200. The Chief Hearing Clerk shall receive for filing and shall promptly enter in his docket proper entries in respect to the filing of all of the papers and documents authorized or required to be filed in the office of the Chief Hearing Clerk by General Regulations (including those described in section 201 of article II of these Regulations), administrative orders of the Secretary, and such other papers and documents as may be specified from time to time in written instructions by General Counsel.

SEC. 201. The Chief Hearing Clerk shall also accept for filing in his office:

(1) Any paper or document which is filed in connection with any hearing held pursuant to (a) the Act, (b) section 3 of the National Industrial Recovery Act (and pursuant to General Regulations, Series 2, as amended, with respect to codes of fair competition), (c) regulations, or (d) administrative orders.

(2) Regulations made by the Secretary with the approval of the President pursuant to section 10 (c) of the Act.

(3) Administrative orders.

(4) Any paper or document presented for filing in the office of the Chief Hearing Clerk:

(a) In connection with the issuance of licenses pursuant to applicable regulations.

(b) In connection with the amendment of any license pursuant to applicable regulations.

(c) In connection with the termination of any license pursuant to applicable regulations.

(d) In connection with the termination of any marketing agreement.

(e) In connection with the amendment of any marketing agreement.

(f) In connection with any amendment to any code or termination thereof.

(g) In connection with the approval of any code.

(5) Any document executed by the Secretary or written order or decision made by the Secretary in connection with any code, marketing agreement or license.

(6) Any document designating any market administrator or other agent of the Secretary pursuant to any marketing agreement, license or code, or any subagent designated by any agent of the Secretary.

(7) Any paper or document executed by the Secretary in connection with any marketing agreement.

(8) Any document relating to the nomination, appointment or election (or protest against such nomination, appointment or election) of any member of a supervisory body established pursuant to a marketing agreement, license or code.

(9) Any document relating to any act, order or decision of any supervisory body established pursuant to any marketing agreement, license or code.

(10) Any document relating to any act, order or decision of any market administrator or other agent designated by the Secretary pursuant to the terms of any marketing agreement, license or any code.

(11) Any document relating to any budget of any supervisory body established pursuant to a marketing agreement or license.

SEC. 202. Whenever any papers or documents are tendered to the Chief Hearing Clerk, by the secretary of any control committee or supervisory body (acting pursuant to a marketing agreement, license or code), for filing in the office of the Chief Hearing Clerk, the Chief Hearing Clerk shall not accept same unless they have been certified to as true and correct by the secretary or other officer of such committee or supervisory body who is authorized by the provisions of the marketing agreement, license or code (as the case may be) to perform functions usually performed by a secretary.

ARTICLE III.—AUTHENTICATED COPIES ADMISSIBLE IN EVIDENCE

SECTION 300. Copies of any documents described in sections 200 and 201, *supra*, when authenticated in accordance with Title 28, Section 661, of the United States Code Annotated,¹ shall be admitted in evidence equally with the originals thereof, in any hearing or in court proceedings of any kind or nature whatsoever. Any such authenticated copy shall constitute *prima facie* evidence of (1) the due execution of the original document of which the authenticated copy purports to be a true copy, including the genuineness of the signature thereto, if any; (2) the fact that such document was executed by the signer or signers of such document on the date such document purports to be executed; (3) the fact (if so stated in such authentication) that the document so authenticated was filed in the office of the Chief Hearing Clerk on the date so stated in such authentication; and (4) in the case of any document purporting to be executed or filed by the secretary or other officer of any control committee or supervisory body, the fact that the signer thereof was, at the time of such execution, duly elected, qualified and acting as such secretary or officer, and in the case of any documents filed with

¹ 28 U. S. C. A. 661: "Copies of department records and papers; admissibility. Copies of any books, records, papers, or documents in any of the executive departments authenticated under the seals of such departments, respectively, shall be admitted in evidence equally with the originals thereof."

respect to the election or appointment of any member of such committee or body, that the facts recited therein are true and that the persons described therein as having been elected or appointed were and are duly elected and acting members of such committee.

SEC. 301. *Proof of the giving of any notice pursuant to General Regulations—How to be made.*—In all cases wherever any notice is required or authorized to be given by any General Regulation (whether by personal service, issuing press releases, posting on bulletin board, by mailing, or by any other method), then proof of the giving of such notice shall be made by the affidavit of the employee of the Agricultural Adjustment Administration who gave such notice, or who has actual personal knowledge of the facts of the giving of such notice. Such affidavit shall be filed in the office of the Chief Hearing Clerk and the filing thereof noted in his docket. Whenever such affidavit has been filed, a copy thereof authenticated pursuant to the provisions of Title 28, Section 661, of the United States Code Annotated shall (when the facts set forth in such affidavit are pertinent or material) be received in evidence upon any hearing, or in any court proceedings whatsoever, and shall constitute prima facie evidence of the truth of the facts recited in such affidavit.

ARTICLE IV.—DUTIES OF CHIEF HEARING CLERK

SECTION 400. The Chief Hearing Clerk shall perform all of his duties and conduct his office in accordance with all General Regulations and administrative orders of the Secretary pertaining thereto, and in accordance with written instructions which may be issued from time to time by General Counsel, not in conflict with General Regulations.

ARTICLE V

SECTION 500. These regulations constitute a revision of and supersede General Regulations, Series 7, approved by the Secretary January 3, 1934: *Provided, however,* That any certifications of any documents which have heretofore been made by the Chief Hearing Clerk pursuant to said General Regulations, Series 7, shall be just as valid and effective as if said General Regulations, Series 7, had not been revised and superseded by these Regulations.

ARTICLE VI

SECTION 600. Public notice of the foregoing regulations shall be given in the following manner:

(a) By posting a copy of these regulations on the official bulletin board or boards in the main building of the Department of Agriculture in Washington, D. C.; and

(b) By issuing press releases relating to and describing the contents of said regulations, giving the date of their approval by the President and information as to where copies of same may be obtained.

(c) By forwarding by mail copies of such regulations to the Governors of the several States of the United States and to the executive heads of the Territories of the United States.

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Issued March 1, 1934.

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(General Regulations, Series 8)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said act.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 1st day of March 1934.



H a w a l l a c e

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

President of the United States.

1ST DAY OF MARCH, 1934.

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ARTICLE I—DEFINITIONS

SEC. 100.¹ As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "license" means any license which has been issued by the Secretary pursuant to section 8 (3) of the act.

(d) The term "Chief Hearing Clerk" means the Chief Hearing Clerk of the Agricultural Adjustment Administration, of the Department of Agriculture.

ARTICLE II—TERMINATION OF LICENSES

SEC. 200. The Secretary may at any time terminate any license by executing a written notice of such termination and by giving notice of such termination in the following manner:

(a) By posting a copy of the notice of termination of the license in a conspicuous place in the main building, Department of Agriculture, in Washington, D.C.

(b) By issuing press releases which shall contain a copy of said notice of termination of license, and

(c) By making available in the Office of the Chief Hearing Clerk copies of such press releases.

SEC. 201. Any termination of a license shall become effective on the date the notice of termination thereof is signed by the Secretary, unless therein otherwise specified.

SEC. 202. The original notice of termination of license shall be promptly filed as a public record in the Office of the Chief Hearing Clerk.

SEC. 203. The provisions of these regulations shall not apply to those licenses, heretofore issued, which contain provisions stating the manner in which they may be terminated by the Secretary, and all such licenses may be terminated by the Secretary in the manner therein provided for.

ARTICLE III.—SAVINGS CLAUSE AS TO VIOLATIONS OF LICENSES PRIOR TO TERMINATION

SEC. 300. No termination of any license shall discharge, release, or forgive any violation of such license, which has occurred prior to such termination, and any and all rights and remedies of the Secretary and/or of any other person which accrued by virtue of such violation shall not be affected or impaired by such termination unless otherwise provided in such notice of termination.

¹ The sections of these regulations are numbered to correspond to the numbers of the articles. Thus, the first section of the first article is sec. 100; the first section of the second article is sec. 200, etc.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(Article II, Sec. 200, as Amended, of General Regulations Series 8)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, R. G. TUGWELL, Acting Secretary of Agriculture, do make, prescribe, publish and give notice of the following amendment to General Regulations Series 8, striking out Sec. 200 in Article II and inserting in lieu thereof the following Sec. 200 which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in city of Washington this 5th day of June 1934.



R. G. Tugwell

Acting Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

JUNE 5, 1934.

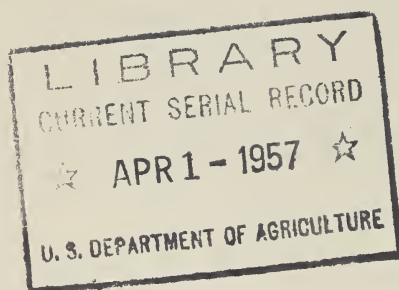
ARTICLE II—TERMINATION OF LICENSE

SEC. 200. The Secretary may at any time terminate any license by executing a written notice of such termination and by giving notice of such termination in the following manner:

(a) By posting a copy of the notice of termination of the license in a conspicuous place in the main building, Department of Agriculture, in Washington, D.C.

(b) By issuing press releases which shall describe the industry and/or area covered by the license being terminated and cite the date of approval by the Secretary of the notice of termination and the date the same is to become effective.

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UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D.C.

(GENERAL REGULATIONS, SERIES 9)

RELATING TO HEARINGS WITH RESPECT TO THE
ISSUANCE OF LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations, with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 30th day of July, 1934.

H. A. Wallace
Secretary of Agriculture.

Approved:

The President of the United States.

THE WHITE HOUSE,

August 6, 1934.

ARTICLE I—DEFINITIONS

SECTION 100.¹ As used in these Regulations:

- (a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.
- (b) The term "Secretary" means the Secretary of Agriculture of the United States.
- (c) The term "license" means any license to be issued after the effective date of these General Regulations, pursuant to section 8 (3) of the Act.

¹ Sections of these Regulations are numbered to correspond to the numbers of the Articles. Thus, the first Section of the first Article is Sec. 100; the first Section of the second Article is Sec. 200.

ARTICLE II—HEARINGS WITH RESPECT TO THE ISSUANCE OF LICENSES
PURSUANT TO SECTION 8, SUBSECTION (3) OF THE ACT

SECTION 200. Whenever the Secretary shall determine that there is reasonable cause to believe that pursuant to section 8 (3) of the Act it is necessary in order to effectuate the declared purposes of the Act to issue licenses in accordance with and pursuant to General Regulations of the Agricultural Adjustment Administration, Series 4, Revision 1, and any amendments or revisions thereof, the Secretary shall give due notice and opportunity for hearing to interested parties as provided hereinafter in this Article. In the event that a hearing on a marketing agreement, pursuant to applicable General Regulations of the Agricultural Adjustment Administration, is to be held concerning the same agricultural commodities or products thereof with respect to which the Secretary has made the aforesaid determination, the Secretary may give due notice and opportunity for hearing to interested parties pursuant to these Regulations simultaneously with notice and opportunity for hearing given pursuant to the applicable General Regulations relating to hearings with respect to marketing agreements.

SEC. 201. Notice shall be given with respect to any such proposed hearing of the subject-matter, time, and place of such hearing:

(a) By posting a copy of a written notice thereof on the official bulletin board or boards in the main building of the Department of Agriculture at Washington, D.C.; and

(b) By issuing press releases which shall indicate the industry and/or area covered by the contemplated license and the date and place of hearing, and which shall give information as to the place, if any, where copies of the contemplated license may be obtained; and

(c) By forwarding copies of such notice addressed to such Governors of the several States of the United States and to such executive heads of the Territories and possessions of the United States as the Secretary or his duly authorized agent, having due regard for the subject matter of such proposed hearing and the public interest, shall determine should be notified.

SEC. 202. Such notice of hearing shall be given at least ten days prior to the date of hearing set forth in said notice unless the Secretary shall determine that an emergency requires a shorter period of notice, in which case the period of notice shall be that which the Secretary may determine to be reasonable in the circumstances.

SEC. 203. Except in the case of a hearing held simultaneously with a hearing on a marketing agreement no hearing shall be held with respect to the issuance of any license unless a tentative form of such license has been reduced to writing and filed in the office of the Chief Hearing Clerk of the Agricultural Adjustment Administration, Department of Agriculture, Washington, D.C. Copies of such tentative form which have been filed as aforesaid shall be available to the public in the office of the Chief Hearing Clerk from the date when the notice with respect to such hearing is given and shall be available at the hearing held with respect to the issuance of such license.

SEC. 204. Every such hearing shall be conducted by a Presiding Officer, who shall be the Secretary or such officer or employee of the

Department of Agriculture as the Secretary may designate in writing, and any such designation may be made or revoked by the Secretary at any time before any hearing. Such hearing shall be conducted in the manner to be determined by the Presiding Officer, and such Presiding Officer, by virtue of his appointment as such, shall, subject to the provisions of the Act and applicable regulations issued pursuant thereto, be deemed to be an officer duly authorized by the Secretary, for the purposes and within the purview of Section 400 of General Regulations, Series 1, Revision 1, and shall have all the powers granted to such officer.

SEC. 205. Such hearing shall be held at the time and place set forth in the notice of hearing and may at such time and place be continued from day to day or adjourned to a later day or to a different place without notice other than the announcement thereof at the hearing by the Presiding Officer.

SEC. 206. All persons desiring to testify in any such hearing or to file written statements or written arguments in connection therewith, shall before or at the opening of such hearing cause their names to be filed with the Chief Hearing Clerk or with an Assistant Hearing Clerk present at such hearing who shall be designated by the Presiding Officer. Any person who has not caused his name to be filed shall not be entitled to be heard or to file written statements or written arguments unless the Presiding Officer, in his discretion, shall permit the later filing of names in cases in which in his judgment the public interest so requires.

SEC. 207. At such hearing the following shall be the order, or method, of the proceedings unless the Presiding Officer shall, in his discretion, determine a different order or method of procedure:

(a) If such hearing is held simultaneously with a hearing on a proposed marketing agreement, the procedure prescribed in Sec. 207 of General Regulations, Series 1, Revision 1, as amended, shall be followed, but in addition thereto:

(1) Persons in favor of the issuance of any license covering such persons and commodities or products shall be heard on the question of whether any such license should be issued.

(2) Persons opposing the issuance of any such license will then be heard. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the contemplated license.

(3) Persons will then be heard with respect to specific terms and conditions of the license, and may suggest additions, alterations, or modifications thereof, but any such suggested additions, alterations, or modifications must be submitted in writing at such time. Persons may, however, in the discretion of the Presiding Officer be heard with respect to specific terms and conditions of such contemplated license and may suggest additions, alterations or modifications as herein provided at the same time that similar specific provisions of the proposed marketing agreement are being discussed.

(b) In the event that such hearing is not held simultaneously with a hearing on a proposed marketing agreement:

(1) The Presiding Officer shall cause the contemplated license in tentative form to be read without argument or comment.

(2) Persons in favor of the issuance of any license covering such persons and commodities or products shall be heard on the question of whether any such license should be issued.

(3) Persons opposing the issuance of any such license will then be heard. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the contemplated license.

(4) Persons will then be heard with respect to specific terms and conditions of the license, and may suggest additions, alterations, or modifications thereof, but any such suggested additions, alterations, or modifications must be submitted in writing at such time.

SEC. 208. (a) Testimony given at such hearings shall be reported verbatim. All written statements or written arguments shall be typewritten, mimeographed, or printed, and filed in triplicate. As soon as practicable after the conclusion of each such hearing, the original, correct, stenographic report of testimony given at such hearing and each such written statement or written argument, certified by the Presiding Officer, shall be filed in the office of the Chief Hearing Clerk, together with two copies thereof.

(b) All oral or written statements concerning matters of fact shall be submitted upon oath.

SEC. 209. (a) Said hearings shall be concluded within such time as the Presiding Officer shall determine, after which time no oral testimony will be taken, but written statements or written arguments, in the form prescribed by Section 208, may be filed with the Chief Hearing Clerk within such time thereafter, and upon such terms, as the Presiding Officer may designate. A copy of such written statements and written arguments shall be available for public inspection at the office of the Chief Hearing Clerk upon the filing thereof.

(b) Any person desiring a copy of the transcript of the testimony or of any filed written statement or written argument shall be entitled to the same upon application to the Chief Hearing Clerk and upon payment of the reasonable cost thereof.

SEC. 210. As soon as practicable after the conclusion of any such hearing, the Chief Hearing Clerk shall transmit to the Secretary the original record thereof, and the Secretary on the basis of such record may find:

(a) That due notice and opportunity for hearing with respect to the issuance of the license and with respect to the terms and provisions thereof have been afforded interested parties; and

(b) That it is necessary in order to effectuate the purposes of the Act to issue a license, pursuant to Section 8 (3) of the Act, permitting processors, associations of producers, and others to engage in the handling, in the current of interstate or foreign commerce, of the agricultural commodities or products thereof, or competing commodities or products thereof, covered by such license; and

(c) That the license to be issued is in accordance with the provisions of Section 8 (3) of the Act and tends to effectuate the purposes of the Act.

SEC. 211. Whenever, pursuant to such findings of the Secretary, a license is issued pursuant to and in accordance with applicable General Regulations of the Agricultural Adjustment Administration, a copy of such license shall be filed in the office of the Chief Hearing Clerk and shall be available for public inspection, and copies thereof shall be available for public distribution.

Issued August 1934

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(ARTICLE I, SEC. 100, OF GENERAL REGULATIONS, SERIES 9)

RELATING TO HEARINGS WITH RESPECT TO
AMENDMENTS TO LICENSES

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE WITH THE APPROVAL OF THE PRESIDENT UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, H. A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give notice of the following amendment to General Regulations, Series 9, by striking out Section 100 of Article I, and inserting in lieu thereof the following Section 100, which amendment is to be in full force and effect until amended or superseded by regulations or amendments thereto hereafter made by the Secretary of Agriculture with the approval of the President under said Act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 14th day of August, 1934.



H. A. Wallace

Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

THE WHITE HOUSE,

August 15, 1934.

ARTICLE I—DEFINITIONS

SECTION 100.¹ As used in these Regulations:

(a) The term "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

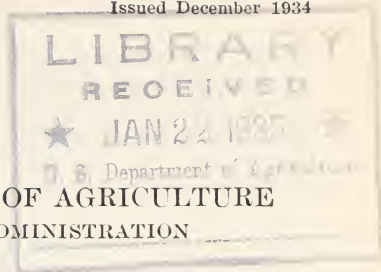
(b) The term "Secretary" means the Secretary of Agriculture of the United States.

¹ Sections of these Regulations are numbered to correspond to the numbers of the Articles. Thus, the first Section of the first Article is Sec. 100; the first Section of the second Article is Sec. 200.

(c) The term "license" means any license to be issued after the effective date of these General Regulations, pursuant to section 8(3) of the Act: *Provided, however,* That such term shall not be deemed to include:

(1) Any licenses in which connection a hearing has been held on a proposed marketing agreement pursuant to applicable General Regulations of the Agricultural Adjustment Administration, which proposed marketing agreement contains provisions substantially similar to the provisions of the proposed license, or

(2) Any license which covers the distribution, marketing, or handling of whole milk or cream for ultimate consumption and has been or will be issued prior to October 1, 1934.



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

(General Regulations, Series 10)

GENERAL REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE, WITH THE APPROVAL OF THE PRESIDENT, UNDER THE AGRICULTURAL ADJUSTMENT ACT, MAY 12, 1933, AS AMENDED

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, I, HENRY A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations with the force and effect of law, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture with the approval of the President under said Act.



In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 14th day of December 1934.

H. A. Wallace
Secretary of Agriculture.

Approved:

Franklin D. Roosevelt

The President of the United States.

The WHITE HOUSE,

December 14, 1934.

ARTICLE I—DEFINITIONS

SECTION 100.¹ As used in these regulations:

(a) The term "act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "Department" means the United States Department of Agriculture.

¹ The sections of these regulations are numbered according to the corresponding numbers of the article. Thus the first section of the first article is sec. 100, the first section of the second article is sec. 200, etc.

(d) The term "person" means an individual, corporation, partnership, unincorporated association, or any other business unit.

(e) The term "license" means any license which has been issued by the Secretary pursuant to section 8 (3) of the act.

(f) The term "licensee" means any person licensed by the Secretary pursuant to section 8 (3) of the act.

ARTICLE II—PROVISIONS RELATING TO HEARINGS IN ORDER TO DETERMINE WHETHER ALLEGED VIOLATIONS OF THE TERMS AND CONDITIONS OF LICENSES SHOULD BE REFERRED BY THE SECRETARY TO THE DEPARTMENT OF JUSTICE FOR ACTION

SECTION 200. Whenever the Secretary, or such officer or employee of the Department as he may designate for the purpose, has reason to believe that any licensee, or any officer, employee, or agent of any licensee, or any other person with the consent of connivance of such licensee, has violated or is violating the terms or conditions of a license, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may, by notice in writing served personally upon such licensee, or any agent of such licensee in active charge of the business licensed, or by depositing in the United States mails a notice in writing, registered and addressed to such licensee at the last known business address of such licensee, order such licensee to show cause in writing on or before a certain date to be named in said notice, why the Secretary should not refer the matter to the Department of Justice with a request by the Secretary to the Attorney General of the United States to take appropriate action against such licensee.

SEC. 201. Said notice shall contain:

(a) A statement of the alleged violations of the terms or conditions of the license.

(b) A statement of the time (which shall not be less than five (5) days after service or mailing of such notice, as required by sec. 200) within which the licensee must comply with said order by filing, at such place and with such person as shall be designated in the notice, a written answer in triplicate to the charges contained in said notice.

SEC. 202. A copy of the aforesaid notice shall be filed in the office of the chief hearing clerk in the Department of Agriculture, Washington, D. C., and shall be available for public inspection in such office.

SEC. 203. (a) Within the time required by the notice, the licensee shall file, at such place and with such person as shall be designated in the notice, a written answer in triplicate to the charges contained in such notice.

(b) Said answer shall be divided into paragraphs and shall contain categorical admissions or denials of the several charges and facts alleged in said notice, and all denials therein contained shall be amplified by full and frank statements of the facts concerning said alleged violations, and the matters of defense relied upon.

(c) Said answer shall contain a statement of the correct name and address of the licensee to whom the order has been mailed or sent. If said licensee is incorporated, such fact shall be stated together

with the name of the State of incorporation and the names and addresses of its officers and directors. If such licensee is a member of an unincorporated association, partnership, or other business unit licensed, said answer shall disclose the correct names and addresses of all the members constituting said business unit.

(d) If the licensee is not a natural person, said answer shall contain the name and address of an individual, as agent of said licensee to whom notice of further proceedings may be mailed or sent and for no other purpose. Such answer shall be supported by an affidavit to the truth of the matters stated therein made by the licensee or a duly authorized agent of the licensee who has knowledge of the facts.

SEC. 204. Upon proper cause shown, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may extend the time within which such answer shall be filed, provided application for such extension be made within the time to show cause set forth in said notice.

SEC. 205. The parties to every such proceeding shall be the Secretary, who shall enter an appearance and be represented by counsel, and the licensee, who may appear in proper person or by counsel. Any other person desiring to intervene in such proceeding shall make an application to the Secretary to be made a party thereto, setting forth the grounds on which such person claims to be interested, and the Secretary, or such officer or employee of the Department as he may designate for the purpose, may, by order, permit the intervention of such person, in proper person or by counsel, to such extent and upon such terms as may be deemed just.

SEC. 206. If the Secretary finds the answer of such licensee to be sufficient, such licensee shall be duly notified of the dismissal of the proceedings initiated by said notice, and an order of dismissal shall be filed in the office of the chief hearing clerk.

SEC. 207. If the proceedings be not dismissed by the Secretary, the Secretary, or such officer or employee of the Department as he may designate for the purpose, may appoint a time (which shall not be earlier than five (5) days after the date on which the answer is required to be filed) and designate a place for a hearing to be held in the State where the licensee's principal place of business is located, or in the State where the agency created by the particular license in question to administer its provisions has its administrative offices, or in Washington, D. C., or at any other place mutually agreeable to the Secretary and the licensee. The Secretary or such officer or employee of the Department as he may designate for the purpose shall at least five (5) days prior to the hearing give or mail to the licensee, in the manner provided in section 200, or to the agent of the licensee designated in the answer of the licensee as the person to whom such notice may be mailed or sent, a written notice, which notice shall specify the time, place, and purpose of said hearing.

SEC. 208. Every such hearing shall be conducted by a presiding officer, who shall be the Secretary, or such officer or employee of the Department as the Secretary may designate for the purpose. Any such designation may be made or revoked by the Secretary at any time before or during any hearing. Such hearing shall be conducted in the manner to be determined by the presiding officer as

will best conduce to the proper dispatch of business and the attainment of justice.

SEC. 209. (a) Said hearing shall be held at the time and place set forth in the notice of hearing or in any subsequent notice amending or superseding a prior notice, and may also without notice, other than announcement thereof, at the hearing, by the presiding officer, at the time and place of the hearing, in the exercise of the discretion of the presiding officer, be continued from day to day, or adjourned to a different place, or to a later date, or to a date and place to be fixed in a subsequent notice to be later issued by the Secretary or the presiding officer.

(b) If at the time of said hearing any party to the proceeding be absent and no appearance be made on behalf of such party the presiding officer shall, after the lapse of such period of time as the presiding officer may consider proper and reasonable, have the name of such absent party called in the hearing room. If upon such call there be no response and no appearance on behalf of such absent party, the presiding officer may proceed with the hearing of the party or parties present or represented, and, after hearing all parties present, may conclude the hearing or may in his discretion continue the hearing as provided in section 209 (a) hereof.

SEC. 210. Every such hearing shall be publicly conducted. Testimony given at such hearings shall be reported verbatim. As soon as practicable after the conclusion of every such hearing a copy of the transcript of testimony shall be available for public inspection in the office of the chief hearing clerk.

SEC. 211. At any such hearing the presiding officer need not apply the technical rules of evidence.

SEC. 212. (a) Full opportunity to be heard upon application therefor shall be afforded to all licensees who may be directly affected by any order resulting from said hearing; but, subject thereto, said hearing shall be concluded within such time as the presiding officer shall determine, at which time, or within such time thereafter, and upon such terms, as the presiding officer may designate, written briefs may be filed with the chief hearing clerk (or, if the presiding officer so determines, with the presiding officer). Such written briefs must be typewritten, mimeographed, or printed, and must be filed in triplicate. A copy of such written briefs shall be available for public inspection at the office of the chief hearing clerk and at such other place as the presiding officer may designate upon the filing thereof.

(b) Any person desiring a copy of the transcript of the testimony or of any written brief, filed pursuant to subsection (a) of this section, shall be entitled to the same upon application to the chief hearing clerk and upon payment of the reasonable cost thereof.

SEC. 213. At the conclusion of the taking of the evidence and as a part of the hearing, opportunity shall be afforded by the presiding officer to all parties to the hearing to present oral arguments in favor of their respective contentions, based on the evidence. In his discretion, having regard to the nature and quantity of the evidence and to the importance of the issues, the presiding officer may limit the time to be consumed by such oral arguments and restrict the number of

such arguments to one on behalf of each party to the hearing respectively.

SEC. 214. All orders, notices, findings, and formal documents requiring the signature of the Secretary under the provisions of these regulations may be signed in his name by such officer or employee of the Department as the Secretary may designate for the purpose and any such designation may be made or revoked by the Secretary at any time before or during any proceeding: *Provided*, That any order either dismissing the charges or referring the matter to the Department of Justice as the case may be shall be signed by the Secretary or Acting Secretary.

SEC. 215. At any time prior to the hearing provided for in section 207 hereof the Secretary may amend the notice provided for in sections 200 and 201 hereof and said amended notice shall be served upon the licensee in the same manner as the original notice. If in said amended notice the Secretary requires the licensee to file an amended answer to such amended notice, then said amended notice shall state the time (which shall not be less than five days after service or mailing of such amended notice as required by sec. 200) within which the licensee must comply with said order by filing such amended answer at such place and with such person as shall be designated in such amended notice. Upon due application and within the discretion of the presiding officer, the right of amendment of the charges, and answers thereto, and of all other proceedings during any such hearing shall be granted on such reasonable terms as to the presiding officer, in the exercise of his discretion, may seem right and proper.

SEC. 216. Upon due application to the presiding officer prior to the rendering of a decision by the Secretary, the hearing may, in the discretion of the presiding officer, be reopened by him for the taking of additional testimony or the presentation of additional evidence.

SEC. 217. As soon as practicable after the conclusion of any hearing, whether the hearing was attended by the licensee or not, the presiding officer shall make proposed findings of fact and shall report the same to the Secretary together with his recommendations and the record of the proceedings. The Secretary shall thereafter render his decision and, if he finds that the licensee did not violate any of the terms or conditions of the license, shall enter an order dismissing such charges, or, if he finds that the licensee has violated any of the terms or conditions of the license shall enter an order setting forth specifically his findings in respect thereto, and may also order that the record of the proceedings be forthwith referred to the Department of Justice of the United States with the request to the Attorney General of the United States to take appropriate action against such licensee. The order shall contain the findings of fact of the Secretary, and the order shall be filed in the office of the chief hearing clerk and shall there be available for public inspection.

If the Secretary enters an order setting forth specifically his findings that such licensee has violated any of the terms or conditions of the license, the Secretary may (pursuant to applicable General Regulations), if the Secretary determines that to do so will tend to effectuate the declared policy of the Act, exclude such licensee from the class or classes of persons to whom any later license may be issued covering the handling of the same commodity and/or product.

SEC. 218. Nothing in these regulations shall be construed to exempt any person from fines or penalties incurred by reason of being engaged in handling without the license required by the Secretary any agricultural commodity or product thereof or any competing commodity or product thereof in the current of interstate or foreign commerce, and these regulations shall not be in derogation of the right of the Secretary to refer any reported violations of licenses to the Department of Justice without first taking the proceedings provided for herein or to proceed against such licensee in any other manner in accordance with the Act and General Regulations promulgated thereunder.

ARTICLE III

SECTION 300. Public notice of the foregoing regulations shall be given in the following manner:

(a) By posting a copy of these regulations on the official bulletin board or boards in the main building of the Department of Agriculture in Washington, D. C.; and

(b) By issuing press releases relating to and describing the contents of said regulations, giving the date of their approval by the President and information as to where copies of same may be obtained.

(c) By forwarding by mail copies of such regulations to the Governors of the several States of the United States and to the executive heads of the Territories of the United States.

